

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

UNITED STATES OF AMERICA : VOLUME I  
:  
vs. :  
:  
DYLANN STORM ROOF : 2:15 - CR - 472

Trial commences in the above matter on Wednesday,  
December 7, 2016, commencing at 10:21 a.m., before the  
Hon. Richard M. Gergel, in the United States Courthouse,  
Courtroom VI, 85 Broad St., Charleston, South Carolina,  
29401.

APPEARED ON BEHALF OF THE UNITED STATES:

JAY N. RICHARDSON, ESQ., 1441 Main St., Columbia, SC.

NATHAN WILLIAMS, ESQ., P.O. Box 978, Charleston, SC.

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APPEARED ON BEHALF OF THE DEFENSE:

DAVID I. BRUCK, ESQ., Washington & Lee School of Law,  
Lexington, VA.

KIMBERLY C. STEVENS, ESQ., 1070-1 Tunnel Rd., Asheville, NC.

EMILY PAAVOLA, ESQ., 900 Elmwood Ave., Columbia, SC.

REPORTED BY DEBRA L. POTOCKI, RMR, RDR, CRR  
Official Court Reporter for the U.S. District Court  
P.O. Box 835  
Charleston, SC 29402  
843/723-2208

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1 (Jury not present.)

2 THE COURT: Any matters to be raised with the Court  
3 before we bring in the jury?

4 MR. RICHARDSON: Nothing from the Government, Your  
5 Honor.

6 MR. BRUCK: Nothing from the defendant.

7 THE COURT: Mr. Cargill, bring in the jury.

8 (Jury present.)

9 THE COURT: Miss Ravenel, will you please administer  
10 the juror oath.

11 (Jury was duly sworn by the courtroom deputy.)

12 THE COURT: Good morning. Ladies and gentlemen of  
13 the jury, I will now give you some preliminary instructions to  
14 guide you in your participation in this trial. First let me  
15 discuss with you your duties to find fact and to follow the  
16 law.

17 It will be your duty to find the facts from all of the  
18 evidence in the case. To those facts, you must apply the law  
19 as I give it to you at the conclusion of the trial. You must  
20 follow the law as I give it to you, whether you agree with it  
21 or not. And you must not be influenced by any personal likes  
22 or dislikes, opinions or sympathy. That means you must decide  
23 the case solely on the evidence before you and according to  
24 the law.

25 You must not read into anything I may say or do during the

1 course of the trial, any suggestion as to what the verdict  
2 should -- you should return. That is a matter entirely for  
3 you, the jury, to decide.

4 Let's talk about different kinds of evidence. The  
5 different types of evidence which may be presented to you in  
6 this case and from which you are to decide the facts consist  
7 of the following. First, the sworn testimony of witnesses,  
8 both on direct and cross-examination, regardless of who calls  
9 the witness. Here's the witness chair right here, and you  
10 will hear it from there. I guess all of you have actually  
11 been in the witness chair yourselves, so you may have some  
12 sympathy there for that.

13 A second form of evidence are the exhibits that will be  
14 received into evidence, and third, any facts to which all the  
15 parties will agree or stipulate, and I will make it clear what  
16 those are.

17 Let's talk about what is not evidence. You may consider  
18 only the testimony and exhibits received into evidence.  
19 Certain things are not evidence and you may not consider them  
20 in deciding what the facts are. I will list some of these for  
21 you.

22 First, arguments made in the opening statement and closing  
23 argument are not evidence. Only testimony from the witness  
24 stand, exhibits which are received into evidence and  
25 stipulations of the parties are evidence. What is stated in

1 opening statement and closing argument are intended to help  
2 you interpret the evidence, but they are not evidence. If the  
3 facts offered at trial differ from what is stated in the  
4 opening statements or closing arguments, the facts offered at  
5 trial control.

6 Secondly, questions and objections are not evidence.  
7 Objections often made challenging the admissibility of the  
8 evidence are a normal and proper part of any criminal trial,  
9 and you should not be influenced in any way by the fact that  
10 an objection is made by any party. You'll hear it, they'll  
11 say objection, and I will -- if I can, I will take up that  
12 objection in your presence. Usually I understand what it is  
13 and I know the law and I apply it. Every once in awhile I  
14 will have to send you out because it's just too complicated to  
15 address in your presence, but I'm going to try to minimize  
16 those.

17 Another area which is not evidence is testimony that may  
18 be excluded or stricken, or that you may be instructed to  
19 disregard. I'll make that very clear if that should arise,  
20 because that is not evidence and must not be considered.

21 In addition, if testimony or exhibits are received only  
22 for a limited purpose, I'll make that very clear to you, and  
23 that should -- you should only consider the evidence for that  
24 limited purpose.

25 Anything you may see or hear when the Court is not in

1 session is not evidence. You are to decide the case solely on  
2 the evidence received at trial.

3 Let's talk about direct and circumstantial evidence for  
4 just a moment. There are two kinds of evidence, direct and  
5 circumstantial. Direct evidence is direct proof of a fact,  
6 such as the testimony of an eyewitness. Circumstantial  
7 evidence is indirect evidence, that is, proof of a chain of  
8 facts from which you could find that another fact exists, even  
9 though it has not been proven directly.

10 It is for you to decide whether a fact has been proven by  
11 circumstantial evidence. In making that decision, you must  
12 consider all of the evidence in light of reason, common sense  
13 and experience.

14 You're entitled to consider both kinds of evidence, direct  
15 and circumstantial. The law permits you to give equal weight  
16 to both, but it is for you to decide how much weight to give  
17 any evidence.

18 Let me address for a moment the credibility of witnesses.  
19 In deciding what the facts are, you must consider all the  
20 evidence. In doing this, you must decide which testimony to  
21 believe and which testimony not to believe. You may  
22 disbelieve all or any part of any witness' testimony. In  
23 making that decision, you may take into account a number of  
24 factors. Let me give you a few examples when you're trying to  
25 weigh credibility. Was the witness able to see or hear or

1 know the things about which that witness is testifying? How  
2 well is the witness able to recall and describe those things?  
3 What is the witness' manner while testifying? Does the  
4 witness have an interest in the outcome of the case or any  
5 bias or prejudice concerning any party or any matter involved  
6 in the case? How reasonable is the witness' testimony  
7 considered in light of all of the evidence? And was the  
8 witness' testimony contradicted by what that witness has said  
9 or done at another time or by the testimony of other witnesses  
10 or by other evidence?

11 In deciding whether or not to believe a witness, keep in  
12 mind that people sometimes forget things. You need to  
13 consider whether a contradiction is an innocent lapse of  
14 memory or an intentional falsehood, and that may depend on  
15 whether it has to do with an important fact or with only a  
16 small detail.

17 In the end, you, the jury, must decide whether to believe  
18 a witness' testimony. And you may use some of the factors  
19 I've just mentioned in helping you make that decision.

20 Let me talk to you a moment about the demeanor of  
21 nonwitnesses not being evidence. A person's conduct and  
22 demeanor when not on the witness stand is not evidence,  
23 because there is no way to determine, other than really by  
24 speculation, why the person acts or appears as he or she does.  
25 This applies to me and it applies to the defendant and to the

1 attorneys as much as to any witness. You may not, therefore,  
2 treat as evidence the conduct and demeanor of the defendant in  
3 the courtroom, nor the conduct and demeanor of his counsel or  
4 Government counsel, the Court or courtroom spectators. It's  
5 really what comes from that witness stand, the exhibits and  
6 the stipulated facts.

7 Let me address an important issue, which is burden of  
8 proof. The defendant is presumed innocent, and it is the  
9 burden of the Government to prove him guilty beyond a  
10 reasonable doubt on each of the counts brought against him.  
11 The defendant has nothing to prove. He carries no burden of  
12 proof at all. If the Government fails to prove the defendant  
13 guilty beyond a reasonable doubt on any particular count, you  
14 must find the defendant not guilty on that particular count.

15 While the Government's burden of proof is a strict or  
16 heavy burden, it is not necessary that the defendant's guilt  
17 be proven beyond all possible doubt. It is required that the  
18 Government's proof exclude any reasonable doubt concerning the  
19 defendant's guilt. Because the Government has the burden of  
20 proving the defendant guilty beyond a reasonable doubt, the  
21 defendant has no duty to call witnesses or to testify. The  
22 constitution affords every defendant the right to silence,  
23 and, in the event the defendant elects not to testify, no  
24 inference or suggestion of guilt should be drawn from his  
25 exercise of his constitutional right to silence.



1 Now let me talk to you briefly, provide you some brief  
2 instructions on the law. And I will provide you, at the end,  
3 a far more detailed instruction on the law, but I wanted to  
4 give you a broad outline of what the pending counts are  
5 against the defendant.

6 In this case the defendant is charged with violations of  
7 the various provisions of federal criminal law in a 33 count  
8 indictment. An indictment contains only allegations against  
9 the defendant. As I have mentioned, the Government carries  
10 the burden of proving each count in the indictment beyond a  
11 reasonable doubt. The indictment charges as follows.

12 Counts one through nine are alleged violations of the Hate  
13 Crime Act resulting in death. And it alleges that on or about  
14 June 17, 2015, in the District of South Carolina, the  
15 defendant, Dylann Storm Roof, willfully caused bodily injury  
16 to the following victims because of their actual and perceived  
17 race and color.

18 Those victims are as follows. The Reverend Sharonda  
19 Coleman Singleton, Cynthia Hurd, Susie Jackson, Ethel Lee  
20 Lance, Reverend Depayne Middleton Doctor, Reverend Clementa  
21 Pinckney, Tywanza Sanders, Reverend Daniel Simmons, Senior,  
22 Myra Thompson.

23 The indictment charges that the offenses resulted in the  
24 death of each of the individuals in counts one through nine,  
25 all in violation of Title 18 of the United States Code Section

1 249(a)(1).

2 Counts ten through 12 allege hate crime involving an  
3 attempt to kill. And it alleges that on or about June 17,  
4 2015, in the District of South Carolina, the defendant,  
5 through the use of a firearm, a Glock model 41 .45 caliber  
6 pistol, attempted to cause bodily injury to the following  
7 victims because of their actual and perceived race and color.  
8 KM, a minor; Felicia Sanders; Polly Sheppard.

9 The indictment charges that the offenses include an  
10 attempt to kill each of the victims in counts ten through 12,  
11 all in violation of Title 18 United States Code Section  
12 249(a)(1).

13 Counts 13 through 21 address obstruction of the exercise  
14 of religion resulting in death. That's the allegation. And  
15 it alleges that on or about June 17, 2015, in the District of  
16 South Carolina, the defendant intentionally obstructed, by  
17 force, each victim listed, in the enjoyment of that victim's  
18 free exercise of religious beliefs. Those included Reverend  
19 Sharonda Coleman Singleton, Cynthia Hurd, Susie Jackson, Ethel  
20 Lee Lance, the Reverend Depayne Middleton Doctor, the Reverend  
21 Clementa Pinckney, Tywanza Sanders, the Reverend Daniel  
22 Simmons, Senior, Myra Thompson.

23 The indictment charges that the violations listed in  
24 counts 13 through 21 resulted in the death of each victim and  
25 were in and affected interstate commerce, all in violation of

1 Title 18 United States Code Section 247(a)(2) and 247(d)(1).

2 Counts 22 through 24 allege obstruction of the exercise of  
3 religion involving an attempt to kill and the use of a  
4 dangerous weapon. And it alleges, the indictment alleges that  
5 on or about June 17, 2015, in the District of South Carolina,  
6 the defendant intentionally obstructed by force and threat of  
7 force, each victim listed, in the enjoyment of that victim's  
8 free exercise of religious beliefs and attempted to do so.  
9 Those victims: KM, a minor; Felicia Sanders; Polly Sheppard.

10 The indictment charges that these acts included an attempt  
11 to kill each of the victims in counts 22 through 24, involved  
12 the use of a dangerous weapon, a Glock model 41 .45 caliber  
13 pistol, and were and affected interstate commerce, all in  
14 violation of 18 United States Code 247(a)(2), 247(d)(1) and  
15 247(d)(3).

16 Finally, counts 25 through 33 allege the use of a firearm  
17 to commit murder during and in relation to a crime of  
18 violence. On or about June 17, 2015, in the District of South  
19 Carolina, the defendant knowingly used and discharged a  
20 firearm, a Glock model 41 .45 caliber pistol, during and in  
21 relation to a crime of violence for which he may be prosecuted  
22 in a court of the United States, and caused the death of nine  
23 victims through the use of a firearm in such a manner as to  
24 constitute murder as defined in 18 United States Code 1111, in  
25 that the defendant, with malice aforethought, did unlawfully

1 kill each of the following victims with a firearm. The  
2 Reverend Sharonda Coleman Singleton, Cynthia Hurd, Susie  
3 Jackson, Ethel Lee Lance, the Reverend Depayne Middleton  
4 Doctor, the Reverend Clementa Pinckney, Tywanza Sanders, the  
5 Reverend Daniel Simmons, Senior, and Myra Thompson, all in  
6 violation of Title 18 United States Code Section 924(c)(1)(A),  
7 924(c)(1)(C) and 914(j)(1).

8 Ladies and gentlemen, the defendant has pled not guilty to  
9 these charges. I will give you detailed instructions on the  
10 law at the end of the case, and those instructions will  
11 control your deliberations and decisions.

12 Let me talk to you a little bit about the conduct of the  
13 jury. You, as jurors, must decide this case based solely on  
14 the evidence presented here within the four walls of this  
15 courtroom. This means that during the trial you must not  
16 conduct any independent research about this case. Let me  
17 repeat that sentence. You may not conduct any independent  
18 research about this case. In other words, you should not  
19 consult dictionaries or reference materials, search the  
20 internet, website, blogs, or use any other electronic tools to  
21 obtain information about this case or to help you decide this  
22 case. Please do not try to find out information from any  
23 source outside of the confines of this courtroom.

24 Until you retire to deliberate, you may not discuss this  
25 case with anyone. And here's an interesting rule we have.

1 Even your fellow jurors. Why would we do that? This is  
2 because you should keep an open mind until you have heard all  
3 the evidence and the Court's charge on the law. After you  
4 retire to deliberate, you may begin discussing the case with  
5 your fellow jurors, but you can not discuss the case with  
6 anyone else until you have returned a verdict and the case is  
7 at an end.

8 If anyone should try to talk to you about the case, bring  
9 it to my attention promptly.

10 I know that many of you use cell phones, smart phones, the  
11 internet and other tools of technology. You must also not  
12 talk to anyone about this case or to use these tools to  
13 communicate electronically with anyone about the case. This  
14 includes your family and friends. You may not communicate  
15 with anyone about the case on your cell phone, through e-mail,  
16 iPhone, text messaging or on Twitter, through any blog or  
17 website, through any internet chatroom or by way of any other  
18 social networking sites, including FaceBook, My Space, Linked  
19 In and You Tube. Many of those I have to consult my children  
20 to know to give you those sources.

21 I do not presently intend to sequester the jury. However,  
22 I will reconsider this decision if I become concerned that  
23 jurors are being exposed to outside information. And as I  
24 mentioned to many of you as we did the individual voir dire,  
25 you need to stay away from any media coverage about this.

1 Stay away from the paper, don't go in the room if the TV is on  
2 with the news. You're going to know better than anybody else,  
3 first of all. Any information you're going to hear otherwise  
4 that's inconsistent is probably wrong anyway. Stay away from  
5 it. Can y'all assure me you can do that?

6 Finally, do not form any opinion until all the evidence is  
7 heard. Keep an open mind until you start your deliberations  
8 at the end of the case. If you wish, you may take notes, but  
9 if you do, you must leave them on your chair when you leave at  
10 the end of each day, and in the jury deliberation room at the  
11 end of the trial. Also, remember that these notes are for  
12 your personal use only. They are not to be given or read to  
13 anyone else. That is, during deliberations you can refer to  
14 your notes and help you remember, but don't show it to anyone  
15 else to try to prove a fact. These are for your use. And  
16 because you're going to be leaving your pads, in just a minute  
17 Miss Ravenel will give you the pads, put them down, and each  
18 day keep your same seat. You'll return and they'll be there,  
19 believe me, there's no place more secure than this courthouse,  
20 no one will take your notes or look at them.

21 Now let me discuss for just a moment the partial waiver of  
22 counsel. During jury selection I discussed with some of you  
23 the fact that the defendant had chosen to represent himself.  
24 Since then, the defendant has requested that his counsel  
25 assist him for the guilt phase of the trial only. He still

1 plans to represent himself at the sentencing phase of his  
2 trial, should he be convicted of one or more capital counts.  
3 He has a constitutional right to represent himself. He also  
4 has a constitutional right to have the assistance of counsel.  
5 Neither the fact that he is now represented by counsel nor his  
6 decision to represent himself at the sentencing phase of his  
7 trial, if there is one, should weigh against him in any  
8 respect.

9 Let me give you a little forecast in terms of the course  
10 of the trial, the structure of the trial. The trial will now  
11 begin, as soon as I complete my opening charge. First, each  
12 side has the right, but not the obligation, to make an opening  
13 statement. The Government, since it carries the burden of  
14 proof, has the right to make the first opening statement. The  
15 defendant then has a right to make an opening statement, to  
16 defer his opening statement until after the Government rests  
17 its case, or to make no opening statement at all.

18 Once the initial opening statements have been made, the  
19 Government will present its witnesses, and the defendant has  
20 the right to cross-examine them. After the Government rests,  
21 the defendant has a right, but not the obligation, to offer  
22 evidence. As I mentioned earlier, the defendant has nothing  
23 to prove, and begins the trial with a presumption of  
24 innocence. The Government carries the burden of proving the  
25 defendant guilty on each count beyond a reasonable doubt.

1 After the parties have rested, they have the right, but  
2 not the obligation, to make closing arguments. After closing  
3 arguments, I will give you instructions on the law. You will  
4 then deliberate on whether the defendant is guilty or not  
5 guilty regarding each count charged.

6 Any duty of the jury to address sentencing will arise, if  
7 it all, at a later phase of the trial.

8 Finally, let me share with you my plan regarding  
9 scheduling. We begin each morning around 9:30 a.m. I try to  
10 take a break every one and a half hours. That varies just a  
11 little bit, where we are with a witness and that type of  
12 thing, but -- and we will take a one-hour lunch break. To  
13 avoid the necessity of you having to find lunch on your own in  
14 downtown Charleston, it's never easy on the best of days, we  
15 will have lunch brought in for you daily.

16 I plan to end court each afternoon between 5:00 and  
17 6:00 p.m.; again, sort of where we are with a witness.

18 And if at any other time you need a break, if you'll just  
19 signal one of my court security officers, we will try to  
20 accommodate you.

21 Okay. That is the Court's opening charge. Is the  
22 Government ready for opening statement?

23 MR. RICHARDSON: We are, Your Honor.

24 THE COURT: Please proceed.

25 MR. RICHARDSON: May it please the Court.



1 The afternoon of June the 17th, 2015, was hot and muggy.  
2 African-American parishioners gathered together at Mother  
3 Emanuel on Calhoun Street here in Charleston. They first had  
4 a business meeting, a quarterly conference during which three  
5 aspiring ministers were awarding their preaching certificates.

6 Twelve parishioners remained after the quarterly  
7 conference. They joined together for the weekly Wednesday  
8 night Bible study. This week they were studying Mark 4, the  
9 parable of the sower. It was Myra Thompson's first time  
10 leading the Bible study. With the help of her husband, she  
11 was working to become an ordained minister. Indeed, that  
12 afternoon she was one of those who had received her preaching  
13 certificate. She had been working long hours and studying and  
14 preparing to lead this constant group of parishioners that  
15 joined every Wednesday night. She was excited. Her  
16 enthusiasm and solicitation encouraged others to stay, to  
17 stick around despite the Bible study's late start.

18 Among those that stayed unexpectedly was the Reverend  
19 Clementa Pinckney. Reverend Pinckney was Mother Emanuel's  
20 pastor, its lead minister, but he was also a State Senator and  
21 heavily involved in the community. He had come to Mother  
22 Emanuel that night with his wife, Jennifer, as well as his  
23 youngest daughter, Malana.

24 During the quarterly conference and during the Bible study  
25 that Reverend Pinckney remained for, Jennifer and her youngest

1 daughter stayed in the pastor's study. The pastor's study was  
2 separated from the fellowship hall where a conference and the  
3 Bible study were to take place by a thin wall and a wooden  
4 door.

5 Joining Myra and Reverend Pinckney at the Bible study  
6 after the conference that night was the Reverend Daniel  
7 Simmons, Senior. Reverend Simmons was the group's weekly  
8 leader, the Bible study's coordinator and organizer. A  
9 long-time AME minister, not just did he lead Bible study, but  
10 he took it on himself to be a mentor and a spiritual guide to  
11 those seeking to become ministers, including Myra. Reverend  
12 Simmons had a deep faith and a thorough understanding of his  
13 religion. He was a stern and vital part of the Mother Emanuel  
14 family.

15 Another of Mother Emanuel's preachers also joined that  
16 evening, the Reverend Sharonda Coleman Singleton. To those  
17 around her, Sharonda was a ray of sunshine, a moving preacher.  
18 When she was not at the church, as she often was, or called  
19 upon by other congregations and groups to speak to them, she  
20 was a loving mother to her three children and a track coach at  
21 Goose Creek High School.

22 They were also joined that evening by the Reverend Depayne  
23 Middleton. Depayne was an ordained Baptist minister. She had  
24 moved from the Baptist Church to the AME Church earlier in  
25 2015. She was now seeking to become an ordained AME minister.

1 Like Myra, she had received her preaching certificate just  
2 that afternoon. Depayne was most often seen at Mother Emanuel  
3 with her four daughters; indeed, often seen walking into Bible  
4 study on Wednesday nights, each carrying a milkshake. Depayne  
5 had come straight from work that Wednesday night, because she  
6 was going to the conference to get her preaching certificate,  
7 and as a result, her four daughters were not with her.

8 Cynthia Hurd joined that night. Cynthia Hurd had come to  
9 the church that Wednesday afternoon to drop something off with  
10 the church office. Convinced by her friendship and love for  
11 the group of the people that were there, the excitement they  
12 had for being there, she stayed. Cynthia was a loving wife  
13 and sister and served our community as an engaged and  
14 committed librarian.

15 Another of the regulars at the Wednesday night Bible study  
16 was Miss Ethel Lance. Miss Ethel Lance was a loving mother  
17 and grandmother, utterly devoted to Mother Emanuel, seemingly  
18 always at the church, tending to its needs, cleaning and  
19 taking care of what was there. Miss Ethel was also a  
20 recognizable usher on Sunday mornings, where she would always  
21 be seen strutting through the church.

22 Another of the consistent members of that Wednesday night  
23 Bible study was Miss Susie Jackson. Miss Susie Jackson was  
24 the mother to Walter, a proud matriarch of the entire Jackson  
25 family, one of the largest families at Mother Emanuel. She

1 was engaged with the senior citizens at Mother Emanuel and,  
2 despite being 87 years old, trudged up the stairs to the choir  
3 loft each and every Sunday morning to share her ministry  
4 through her spectacular singing voice.

5 They were also joined that evening by Tywanza Sanders,  
6 Miss Susie's nephew. Tywanza Sanders was a young man, a  
7 college graduate, a man just beginning to see the promise of  
8 an extraordinarily bright future. He was working multiple  
9 jobs. As he had gotten off work that night, as he did most  
10 Wednesday nights, he had come to Bible study at Mother  
11 Emanuel. He had come to join his mother, Miss Felicia  
12 Sanders.

13 Miss Felicia Sanders was there that Wednesday night as  
14 well. She was there, she often was with her 11-year-old  
15 granddaughter, devoted to Mother Emanuel. She was a friend,  
16 she was a caregiver to so many that were in need, she was a  
17 mother, and she was a loving wife to her husband, Tyrone.

18 The twelfth member that joined that Bible study that night  
19 was one of Myra's close friends. She was drawn in, in  
20 particular, by Myra's excitement and enthusiasm to be leading  
21 the Bible study that night for the first time. Miss Polly  
22 Sheppard. Miss Polly was a partner with Myra in ensuring the  
23 church continued to operate, a backbone of Mother Emanuel's  
24 operation. When she was not at the church helping Myra or  
25 others, Miss Polly was a life-long nurse, a mother to her four

1 boys, and a devoted wife to her husband, James.

2 As that group of 12 joined together that Wednesday night,  
3 they welcomed a thirteenth person to the Bible study. They  
4 welcomed the defendant, Dylann Storm Roof. He seemed to the  
5 12 to be harmless, yet little did they know what a cold and  
6 hateful heart he had.

7 They gathered together around four round tables in the  
8 fellowship hall. When the defendant walked in, the Reverend  
9 Pinckney offered him a chair right beside him. Gave the  
10 defendant a Bible to read, a copy of the hand-out that Myra  
11 had prepared for him to study. They sat together for more  
12 than half an hour as the parishioners discussed, debated and  
13 read about the Good Word.

14 As the Bible study came to draw to a close, the  
15 parishioners that were there stood, as they did each time, to  
16 close their eyes and offer prayer. It was at that moment, at  
17 that point in time that the defendant made clear what he had  
18 been planning for months. He hadn't come to the Bible study  
19 to hear the Good Word, he hadn't come to find the Lord, he  
20 hadn't come to seek the help of so many that would have been  
21 willing to provide it. Instead of a Bible for study, the  
22 defendant chose to bring a Glock .45 caliber pistol to that  
23 hour of worship.

24 The choice to bring that .45 caliber pistol to Bible study  
25 that night is not the only decision, not the only choice and

1 preparation that the defendant made in this race-based attack.  
2 We'll show you the array of choices that he made in the months  
3 leading to that fateful moment, the research he did on the  
4 internet leading to his racist ideology, the efforts he went  
5 to choose a target, ultimately settling on Mother Emanuel,  
6 scouting Mother Emanuel in repeated trips, making a phone call  
7 back in February of 2015 to the church and, just weeks before,  
8 stopping and speaking with an African-American parishioner  
9 about the times for Mother Emanuel's services.

10 Well aware of Mother Emanuel's significance in the  
11 African-American community, he chose that church because of  
12 the impact it would have, the manner in which it would  
13 resonate across the nation.

14 He also prepared by buying the gun. Back in April of 2015  
15 he bought that Glock .45 caliber pistol. He began stockpiling  
16 ammunition, Winchester .45 caliber hollow point rounds. He  
17 bought additional magazines to carry all of the ammunition he  
18 wanted to take in with him.

19 He mentally and physically prepared himself, conducting  
20 target practice and getting himself in a state of mind where  
21 he could do what he believed he had to do.

22 As the parishioners at Mother Emanuel gathered that  
23 Wednesday afternoon, as they began the quarterly conference  
24 and readied for Bible study that night, the defendant got in  
25 his car and drove from Columbia, South Carolina, down to

1 Charleston, an hour and a half on the road considering where  
2 he was going and what he was going to do.

3 Before the defendant entered the church that night, he had  
4 loaded that .45 caliber pistol with 11 hollow point rounds in  
5 the magazine. But not just those 11 rounds. He also loaded  
6 seven additional magazines, pushing bullet after bullet into  
7 magazine after magazine. Eleven rounds in eight magazines.  
8 Eighty-eight hollow point rounds intended for maximum impact.

9 After he had driven from Columbia to Charleston, he sat  
10 outside Mother Emanuel in his car, contemplating. He chose to  
11 enter the religious sanctuary and sit with the parishioners  
12 for half an hour, coldly considering what he was about to do.

13 And then that fateful moment. As the 12 stood to offer  
14 their prayers and close their eyes, the defendant pulled the  
15 Glock .45 caliber pistol out of his pouch and pulled the  
16 trigger. Still seated in the chair that Reverend Pinckney had  
17 provided to him, right beside him, he pulled the Glock .45  
18 caliber pistol out and shot the church pastor, shot Reverend  
19 Pinckney over and over again.

20 As other parishioners sought cover, dove under tables,  
21 Reverend Simmons got up, attempted to get around the tables to  
22 where the defendant and Reverend Pinckney were, only to be  
23 stopped when the defendant trained a .45 on him and shot  
24 Reverend Simmons again and again.

25 The defendant turned on the others, repeatedly pulling the

1 trigger of that Glock .45, feeling the recoil each time as it  
2 fired. As each magazine was emptied, shell casings tumbling  
3 across the parish hall, he tossed the magazine aside and  
4 loaded yet another into his Glock .45, standing over victim  
5 after victim and shooting them repeatedly.

6 The defendant emptied an entire magazine of 11 rounds into  
7 matriarch Susie Jackson's 87-year-old body. He stood over  
8 Myra Thompson on the night the first time leading to Bible  
9 study and shot her repeatedly. He executed the church's  
10 caretaker, Miss Ethel Lance; its preacher, Sharonda  
11 Coleman-Singleton; the community's librarian, Cynthia Hurd;  
12 and aspiring minister and sweet vocalist, Depayne Middleton.

13 And the defendant continued with his assault. Miss Polly  
14 Sheppard could see his boots walking closer and closer to her.  
15 Even all the while the shots continued to ring out. As the  
16 defendant reached the end of the row of tables, he found Miss  
17 Polly doing what Miss Polly knew to do, praying out loud. The  
18 defendant told her to shut up. Asked her whether she had yet  
19 been shot, unaware of whether his assault had yet shot Miss  
20 Polly. When Miss Polly said no, she had not been shot, the  
21 defendant explained that she would be the one. He would leave  
22 her alive to tell his story. He would leave her alive to tell  
23 the story of what he had done.

24 As this went on, Tywanza Sanders interjected, sensing  
25 those he loved around him were still alive, he interrupted and



1 stood up to the defendant, even though he himself had already  
2 been shot. He told the defendant that he did not have to do  
3 this. We mean you no harm. The defendant told him he did  
4 have to do this. He explained that y'all, y'all are raping  
5 our white women, y'all are taking over the world. He had to  
6 kill them. Then standing just feet away from Tywanza, already  
7 wounded and lying on the ground, the defendant shot Tywanza  
8 repeatedly.

9 Lying right next to her son as he was executed, Miss  
10 Felicia Sanders. She laid there clasping her 11-year-old  
11 granddaughter, desperately trying to get her to be quiet,  
12 desperately trying to keep her from making a sound. Holding  
13 her so tight she feared she would suffocate her.  
14 Miraculously, in the hail of bullets that the defendant fired  
15 that night, Miss Felicia, the granddaughter, were not harmed.  
16 They lay playing dead on the blood-soaked floor between her  
17 son and her Aunt Susie.

18 In the pastor's study, just off the fellowship hall where  
19 the attack took place, Miss Jennifer Pinckney also huddled,  
20 clasping to her six-year-old daughter underneath a desk,  
21 seeking to avoid the gunfire, the gunfire that indeed pierced  
22 the walls of the fellowship hall, but fortunately had not  
23 found Miss Pinckney and her daughter. They managed to escape  
24 physical harm.

25 The defendant left behind a scene that nobody can fathom;

1 yet, he walked out calmly, looking both ways as he exited the  
2 church side door, fully expecting law enforcement to have  
3 responded to his horrific attack. Yet as medical personnel  
4 and law enforcement responded to the 911 calls and rushed to  
5 the church, when the defendant walked out he was met with just  
6 a deserted parking lot. He took his still loaded Glock  
7 .45 caliber pistol, got into his car and slipped away into the  
8 night.

9 We will prove to you the defendant's attack was cold and  
10 calculated, it was done with malice in his heart and in his  
11 mind. Racist retribution for perceived offenses against the  
12 white race, just as he told Tywanza. But not just retaliation  
13 for perceived offenses; he hoped, he imagined that it would  
14 agitate others, that it would cause unrest, that it would  
15 deepen long-standing divisions, it would serve in the minds of  
16 others as a catalyst for hate, division, distrust to take  
17 hold.

18 We'll show you that this defendant didn't rely on Miss  
19 Polly alone to tell the story of what he had done. He didn't  
20 just rely on what he told Miss Polly, what he said during his  
21 attack. He also wrote a manifesto. He wrote a manifesto he  
22 wanted to ensure was read across the world. So months before  
23 the attack, in February of 2015, he bought a website, posted  
24 on a Russian internet server. He named it LastRhodesian.com,  
25 in reference to the formerly apartheid country of Rhodesia.

1           On the afternoon of June 17th, before he got in the car  
2       and drove to Mother Emanuel, before he entered the church and  
3       sat with the parishioners, he went to his father's house, he  
4       sat at his father's computer and typed out his manifesto. He  
5       described in that manifesto his racist ideology. He claimed  
6       white superiority, suggesting blacks were merely stupid and  
7       violent. He expressed his wish that over our nation's history  
8       that whites had actually treated blacks terribly; instead,  
9       claiming segregation and slavery were not all that bad. He  
10      discussed black-on-white crime, claiming it to be a problem  
11      ignored by Americans and by media. He rejected American  
12      patriotism, for he believed that America was not somewhere to  
13      be proud of, and blacks were killing whites every day.

14           But his manifesto was not just retribution and  
15      retaliation, it was a call to arms. It included the belief  
16      that it was not too late, in his mind, it was not too late to  
17      take the country back from blacks. But he explained we, we,  
18      the whites, the white supremacists must not wait any longer to  
19      take drastic action.

20           He concluded his manifesto by quoting from films, movies  
21      that he liked. He said, I see all these things going on  
22      around me and I don't see anybody doing anything about it. He  
23      continued to say that even if his life, even if his life was  
24      worth less than a spec of dust, he wanted to use it for the  
25      good of society. You'll learn the defendant's version of

1 using it for the good of society, the defendant's version of  
2 doing something about it, the defendant's version of drastic  
3 action was to execute good and innocent parishioners engaged  
4 in worship because of the color of their skin.

5 Alongside this manifesto, alongside the written word that  
6 he wanted to publish, the message he wanted to send, he also  
7 published 60 photographs, a curated set of photographs that he  
8 had selected from thousands that he had taken in the months  
9 leading up to this attack. He selected the 60 that conveyed  
10 the message he wanted to convey. The defendant posing with  
11 the murder weapon in a variety of different ways. The  
12 defendant posing in various places and manners that suggested  
13 and supported his racist hatred. He stood, on the one hand,  
14 holding a burning American flag, and on the other proudly  
15 displaying a confederate one. This website, this was the  
16 message that he wanted to send.

17 There was more. He left more evidence of his hatred and  
18 planning and preparation behind. And you'll get to see it.  
19 Among those things he left behind were a journal where he  
20 described many of the racist filth that he included in the  
21 manifesto, he also included in his own journal. He went even  
22 further, expressing his desire, his hope, his imagination, the  
23 race war was indeed coming. He included in this journal his  
24 brand, his logo, his self-designed symbol of his hatred, of  
25 his action, of his choices. It included his initials. It

1 included white supremacy symbolism like the Nazi swastika. It  
2 included the number 88. It included the number 88 because,  
3 for white supremacists, that stands for Heil Hitler, H being  
4 the eighth letter of the alphabet. Along with other white  
5 supremacist symbols, he created this logo, he created this  
6 symbol to reflect who he was, what he thought and what he had  
7 done.

8 He left behind other items as well, like the digital  
9 camera he had used to take thousands of race-based photographs  
10 from which he had selected the 60 to put up on the internet.  
11 But he left behind the thousands he had not chosen as well.

12 When the defendant left the church that night and drove  
13 away, it set off a massive man hunt, calling on the full array  
14 of law enforcement's resources to try to find, identify and  
15 arrest the perpetrator of this race-based massacre.

16 The defendant was ultimately found the next morning in  
17 North Carolina on his way to Nashville, Tennessee. He was  
18 arrested by local Shelby, North Carolina police officers.  
19 After he was arrested, you'll learn that he continued to want  
20 to spread his message, just as he had done to Miss Polly and  
21 Tywanza, as he had done in his manifesto and on his website,  
22 the defendant continued to want to tell that story. So when  
23 FBI agents showed up and sat down to interview him, he  
24 confessed fully, at least as fully as he wanted those agents  
25 and others to know. He began by describing what he had done.

1 I went to the church that night, I did it. I killed them. I  
2 shot them with my Glock .45. He described the racist ideology  
3 again that he had expressed in his manifesto and his journal.  
4 He talked about his choice of targets, Charleston, because  
5 there's a historic city, Mother Emanuel because of its history  
6 within the AME faith and the African-American community. He  
7 described having settled on Mother Emanuel as the church to  
8 attack because he knew he would find African-Americans there,  
9 he knew that an attack there would magnify his message. And  
10 he also knew that an attack there would pose little risk to  
11 himself.

12 He described his planning and preparation, the gun,  
13 ammunition, the magazines, the pouch. He described the  
14 physical preparations. He described the mental preparations  
15 as well, how he mentally prepared himself, described sitting  
16 outside the church in his car. He described sitting with the  
17 parishioners during the Bible study. As he listened to the  
18 prayer, as he listened to their study of the Good Word, he  
19 admitted that he almost didn't do it. He almost just walked  
20 out the door. But in the end, he decided, and he explained  
21 that he had to do it. So he described killing them. He  
22 described pulling the gun out, he described firing it over and  
23 over again. He described pacing around the room shooting  
24 victim after victim as they lay on the floor. He described  
25 pausing between shooting the victims, thinking about what to

1 do next, considering whether to kill even more.

2 The defendant's description of his actions, that speaks  
3 volumes. But he also went on to explain why. He went on to  
4 explain, as we have talked about, how he had to do it. That  
5 nobody else was doing anything about it. The white supremacy  
6 groups were just talk. He described knowing the men and women  
7 that he had executed were innocent. He justified himself in  
8 finding their lives to be miniscule, the loss of their lives  
9 to be miniscule in comparison to the perceived offenses  
10 against the white race.

11 Not only, not only had he talked about his retribution,  
12 his retaliation, he also talked about the call to arms, the  
13 hope that his attack would agitate others, worsen race  
14 relations, increase racial tensions that would lead to a race  
15 war. The hope, the hope that he could send a message, a  
16 message to other white people to stand up and do something.  
17 Didn't even have to be violent, but just do something.

18 The defendant's confession, you'll get to see it, it's  
19 recorded, the defendant's confession tells you a lot about  
20 this crime. But for you to even partially comprehend this  
21 racist attack, the scene he left behind must be shown. You  
22 will best understand what was in his mind by seeing the  
23 calculated actions he took and the catastrophic results that  
24 occurred. He pulled the trigger on that Glock .45 more than  
25 70 times that night. More than 60 times he hit the

1 parishioners that gathered there for Bible study and worship.  
2 The gruesome ruins of their bodies only begin to tell the  
3 story of loss that he caused. It was a racist, retaliatory,  
4 retributive attack, an attack he hoped would strike at the  
5 core of our social fabric.

6 Ladies and gentlemen, we recognize the difficulty and the  
7 challenge that you are going to face in seeing, hearing and  
8 deliberating about this horrific crime. We thank you for the  
9 effort and energy you're going to put into deciding this  
10 important case.

11 Along with my colleagues, I have the honor of representing  
12 the United States. And we are called upon to show you the  
13 choices the defendant made, the actions that he took, the  
14 catastrophic results that occurred, results that were seen by  
15 survivors, first responders, but felt far beyond the walls of  
16 Mother Emanuel.

17 When you were first here at the end of September, the  
18 judge explained to you that our great nation has the most  
19 remarkable and fairest legal system in the entire world. A  
20 critical part of that legal system, of this criminal justice  
21 system, is the right to a trial by jury. A jury is selected  
22 by the Court and the parties to be fair and impartial, to be  
23 open minded. You are here, you were selected to do just that,  
24 to deliberate and work together, to follow the Court's legal  
25 instructions, to abide by your oath and render a truthful



1 verdict in accord with the evidence presented in this  
2 courtroom, without prejudice or sympathy.

3 As the Court just explained to you, in our criminal  
4 justice system the Government always bears the burden. We  
5 bear the burden of proving to you that this defendant  
6 committed each and every one of the charged offenses beyond a  
7 reasonable doubt. When we finish, it will be up to you to  
8 decide whether we have kept our promise to prove that to you  
9 beyond a reasonable doubt.

10 The Court went over with you the 33 counts the defendant  
11 is charged with. Three counts for each of the nine  
12 individuals that this defendant murdered. Two counts for each  
13 of the two -- three, excuse me -- two counts for each of the  
14 three survivors that were in the room during the Bible study.  
15 The three survivors that the defendant knew about, had  
16 knowledge of, had sat with for half an hour while they studied  
17 the Gospel of Mark. That's going to be 12 counts in total of  
18 Hate Crime Acts. That's killing or attempting to kill because  
19 of someone's race and color. That's Section 249.

20 There are 12 counts of obstruction of religion for the  
21 forceable obstruction of the free exercise of religion.  
22 That's going to be Section 247.

23 And then there are nine counts, one for each of the nine  
24 that were killed, for the use of a firearm in furtherance of a  
25 crime of violence to commit murder with malice. That's

1 Section 924.

2 To prove to you these 33 counts, you're going to first  
3 hear from Miss Felicia Sanders. She is going to provide you a  
4 firsthand account of the attack that night. Then you'll hear  
5 from first responders, medical personnel, law enforcement,  
6 firefighters who responded to the scene that evening. Then  
7 you'll hear from the crime scene investigators who showed up  
8 after the first responders, to document, collect and present  
9 the evidence that was there, the evidence at Mother Emanuel.  
10 You'll then hear from law enforcement officers away from the  
11 walls of Emanuel, the efforts that they engaged in, including  
12 the man hunt, the arrest and confession of the defendant,  
13 searches at his house, his mother's house, his father's house  
14 and his car, evidence gathered from stores that he had  
15 purchased these items from. You'll also hear from experts who  
16 preserved and analyzed a number of those items.

17 Then you'll hear from lead FBI Agent Joseph Hamski. Agent  
18 Hamski will provide some context for some of those items that  
19 were recovered in various searches. Then you'll hear from the  
20 medical examiner who examined each of these nine before  
21 finally you'll hear from the survivor, Polly Sheppard.

22 This is going to be a long and difficult trial. The  
23 criminal justice system takes you away from your lives,  
24 deprives you of your phones and social media, puts you  
25 together in what's a rather small room off the courtroom,

1 gives you the instruction that the one thing you have in  
2 common, your service on this jury, you can not yet discuss.  
3 We encourage you to get to know each other, talk about where  
4 you've been and where you're going. You're going to spend a  
5 tremendous amount of time together, like it or not.

6 In another federal courtroom in Columbia, South Carolina,  
7 over the judge's head is a phrase that's written in Latin -- I  
8 confess I don't speak Latin -- but I've been told that it says  
9 or translates to say, "We who labor here seek only the truth."  
10 We who labor here seek only the truth. You labor here,  
11 seeking the truth. The truth here is that after months of  
12 planning and preparation, this defendant chose to enter a  
13 religious sanctuary at Mother Emanuel. He chose to sit with  
14 12 parishioners as they studied the Gospel of Mark. He chose  
15 to execute nine of those good and innocent men and women. And  
16 he chose to do so because of a callous hatred for the color of  
17 their skin.

18 After we've proven the facts that I've tried to summarize  
19 for you this morning, we're going to come back, we're going to  
20 ask you to find this defendant guilty. I submit to you that  
21 his hatred, his racism, his violence, his assault on the  
22 innocent in a house of worship will not win in this courtroom.  
23 Justice instead should prevail. The kind of justice that  
24 judges not based on the color of one's skin, but on choices  
25 made and actions taken. That kind of justice, ladies and

1 gentlemen, I submit to you, will find this defendant guilty of  
2 all 33 counts.

3 THE COURT: Opening statement by the defense.

4 MR. BRUCK: It's 11:30, Your Honor.

5 THE COURT: I'm sorry?

6 MR. BRUCK: It is 11:30, if this would be an  
7 appropriate time.

8 THE COURT: What I was thinking, Mr. Bruck, is that  
9 you would do the opening statement and then we would break for  
10 lunch, so why don't you proceed.

11 MR. BRUCK: Thank you.

12 Good morning. I'm David Bruck, I'm a lawyer.

13 What you just heard, really did happen. The story that  
14 Mr. Richardson just finished telling you, really did occur.  
15 And Dylann Roof really is the person who did it. You're  
16 probably wondering, well, so what are we doing here? Why does  
17 there have to be a trial?

18 Well, as you may have guessed from all of the questions  
19 that you went through during the selection of this jury, the  
20 practical reason is that the Government has asked for the  
21 death penalty to be imposed after conviction. And that means  
22 that we have a procedure to go through, and that is the  
23 procedure that we are now going through. The first stage,  
24 sometimes called the guilt phase -- you were questioned about  
25 all of this, you may remember it -- is the part of the trial

1 where the defendant -- where the jury determines whether the  
2 defendant, the person on trial, actually committed the crimes  
3 with which he is charged. Part of that is determining whether  
4 these crimes were actually committed by somebody, and then the  
5 jury obviously also has to determine whether they have the  
6 right person. And you go through that process regardless of  
7 how open and shut the facts may be, and in this case they are.

8 And then the jury returns a verdict which I, along with  
9 Mr. Richardson, expect will be guilty, given the facts that  
10 you will hear.

11 And then there's a second trial, same jury, same  
12 courtroom, same judge. The second trial is devoted to the  
13 question of what should happen to the defendant, what should  
14 be done to him. The issues in the first part of the trial  
15 that I've just outlined for you are figuring out were the  
16 crimes committed and has the Government charged the right  
17 person.

18 The practical question in the second part of the trial is  
19 even narrower, because the only choices that can happen for  
20 someone who is convicted of the crimes charged in this case  
21 are to be sentenced to prison for the rest of his life with no  
22 possibility of release ever, or else to be executed by the  
23 Government. Those are the only two choices. So the  
24 sentencing phase issues, the final issues the jury must decide  
25 are, in that sense, narrow.

1 But in another sense, the issues at the sentencing phase  
2 of the trial are very very broad. There are dozens, even  
3 hundreds of practical questions. We're no longer dealing at  
4 that stage of the case with simply what was the crime and did  
5 the right person get charged. At the end of the sentencing  
6 phase, which we have not got to yet, but I want to talk with  
7 you where we were going so that you will understand what your  
8 job is at this stage, at the sentencing phase everything  
9 becomes relevant because the question isn't just did Dylann  
10 Roof commit this crime, but who is he. Why did he do it?  
11 Where did it come from? What can we understand about him, a  
12 young man who, on June 17th, 2015, was barely 21 years old,  
13 and in some ways much less mature than that, as you will learn  
14 from the evidence.

15 And the reason the law requires you to consider all of  
16 those things in the sentencing phase of the trial is that, in  
17 fairness and in mercy, our society does not invoke the death  
18 penalty, does not order it that anyone be put to death, if  
19 there are reasons to choose life. And remember, life means  
20 life in prison. The law errs in favor of life, we err in  
21 favor of life. We do not behave like the person that  
22 committed this crime. Quite the opposite.

23 So you have to know everything. And more than that, you  
24 have to try to understand everything before you exercise, you,  
25 as a jury, exercise the god-like power of life and death.

1           So that's the way the case is organized. But there's a  
2           problem. You're going to want to understand who this person  
3           was and why on earth he, of all people, would have caused so  
4           much harm and grief. Now, in a capital trial oftentimes,  
5           first phase of the trial deals with what happened, who did it,  
6           like I say, and the second part of the trial deals with why.  
7           And in that part of the trial everyone who knew the defendant  
8           can come -- can be called to testify to describe every detail  
9           of his life, his childhood, his origin, his family history,  
10          everything.

11                 MR. RICHARDSON: Objection, Your Honor, this is a  
12          guilt phase opening.

13                 THE COURT: Mr. Bruck, this is guilt phase.  
14          Sustained.

15                 MR. BRUCK: Yes. And it would typically be the case  
16          that you would hear expert testimony --

17                 MR. RICHARDSON: Objection, Your Honor.

18                 THE COURT: Sustained.

19                 MR. BRUCK: But as Judge Gergel just told you, the  
20          defendant will not have a lawyer at the --

21                 MR. RICHARDSON: Objection, Your Honor.

22                 THE COURT: Sustained. Mr. Bruck.

23                 MR. RICHARDSON: He knows what he's doing, Your  
24          Honor.

25                 THE COURT: Mr. Bruck, you are to stay on the guilt

1 phase only.

2 MR. BRUCK: Very well.

3 This is the only phase of the case in which Mr. Roof will  
4 be represented by counsel, and for that reason, I need to ask  
5 you to pay extreme careful attention to the small things. And  
6 I will try to tell you some of the issues that I would like  
7 you to watch for in this phase of the trial. The reason I say  
8 that is that you don't get to hear the evidence twice. When  
9 you get to the penalty phase of the case, the evidence will  
10 not be presented again, the Government will not call all the  
11 same witnesses. So that you can look at the evidence through  
12 the lens of the penalty phase, you only hear the evidence  
13 once, and you need to remember all of the details that will be  
14 important later, when you hear them now. So let me suggest a  
15 few things that you may want to look for now.

16 As I've said, we know what happened. Mr. Richardson's  
17 very thorough, eloquent description of this awful crime was  
18 accurate. It was true. We don't disagree with anything. But  
19 in some ways that really poses the question, doesn't answer  
20 it. You also are going to have to ask the question why, and  
21 eventually you're going to have to do the best you can to  
22 answer it. So you are going to need to be detectives. You're  
23 going to need to use not merely your ability to hear facts,  
24 but your common sense. Judge Gergel told you the job of a  
25 jury is that you must consider all of the evidence in the



1 light of reason, common sense and experience. You don't leave  
2 your common sense at the courthouse door. The whole point of  
3 having a jury is to have the common sense and the life  
4 experience of 12 people to be brought to bear on the issues  
5 that you are going to be entrusted with.

6 So what to watch for. What does this crime and everything  
7 that led up to it tell us about this 21 year old.

8 MR. RICHARDSON: Objection, Your Honor.

9 THE COURT: Mr. Bruck, the relevance issues on guilt  
10 are the only issues to be addressed in the opening of this  
11 case. I direct you not to go into other issues at this time.

12 MR. BRUCK: I will do that, Your Honor.

13 Among the elements of the crime are racial animus, racial  
14 hatred. The hate crime statute requires that the defendant be  
15 motivated by the race of the victims, for example. In  
16 considering that issue, ask yourself where this extraordinary  
17 degree, this intense degree of racial feeling may have come  
18 from. Where did he learn it? Is there any evidence -- you'd  
19 think, well, probably from his family, that's where you would  
20 expect, for example. Watch for that. See if there's evidence  
21 of that. Not that whether there was -- whether anyone in his  
22 family may have harbored racial bias, but enough to explain  
23 this. Watch for that. Think about it as you hear the  
24 evidence.

25 Did it come from a group? Did he learn this from

1 co-conspirators? Who is behind this attack? Did he have  
2 conspirators? You'll hear the FBI obviously in the -- it's  
3 their job to answer that question, almost before any other,  
4 who else is out there. And during the course of the two-hour  
5 confession that he made on videotape that you will get to  
6 watch, obviously the agents very properly are focused on that.  
7 See if there is any evidence that there is anybody else. And  
8 I mean anybody. They ask him, who is your best friend? I  
9 don't have a best friend. I don't have a best friend. See if  
10 he had any real friends at all. And ask what that tells you.  
11 Was there even one person that he plotted or planned this  
12 with?

13 And Mr. Richardson outlined what Mr. Roof said about the  
14 theory, the plan that underlay this astonishing horrible  
15 attack. But since the Government has gone into it, you go  
16 into it, too. Ask yourself if this really is a logical plan  
17 at all. On what planet would someone have to be to think that  
18 you could advance a political agenda by attacking and  
19 murdering these nine people who are the most kind and  
20 upstanding, I will use the word noble people that you could  
21 possibly find, in this community or any other. What is the  
22 likely effect of that? Ask yourself that. How much sense  
23 does this crime make? Does this make any sense at all? And  
24 if not, what does that tell you?

25 I had to do it. Mr. Richardson quoted the defendant's

1 words when he explained to the FBI why he did it. By my  
2 count, he said "I had to do it" about ten times. But there's  
3 no explanation beyond that. I had to do it. I had to do it.  
4 What does that suggest to you?

5 Given the fury of this attack, you would expect to hear  
6 raging anger, seething rage in the confession or at any other  
7 time. Watch carefully for his actual affect for the way he  
8 talks and communicates. And ask yourself what that means,  
9 applying your common sense and your life experience. Look for  
10 things that he talks about in his own history that could  
11 explain this racist ideology. And not just the ideology,  
12 because there are, unfortunately, other people and many  
13 people, probably far too many in this society who share racist  
14 ideas. But the idea that one would want to, that one has to  
15 act on it in this way, what explains that in this 21-year-old  
16 man. Ask yourself those questions as you hear the evidence.  
17 Ask yourself if there were any experiences he had in his own  
18 life that could explain at any level what he thought, what he  
19 believed, what he thought he had to do or what he did. Of  
20 course the FBI agents asked him that question, and you'll see  
21 his answer on the video. He also addresses that question in  
22 his statement that he put on line, and he answered it both  
23 times as no, nothing, nothing happened to me. Use your common  
24 sense in the light of your own experience. What does that  
25 tell you about him, not about this sort of crime in theory.

1 MR. RICHARDSON: Objection, Your Honor.

2 THE COURT: Sustained. Stay on the guilt phase,  
3 Mr. Bruck.

4 MR. BRUCK: Yes, sir.

5 You will see a crime that is driven by a kind of fear. A  
6 fear of what? Where did it come from? Where did it come  
7 from? Why would someone be so afraid? Judge Gergel told you  
8 those are the questions, I think, if you go deep, if you do  
9 your job, and I know you will, go deeper than the surface of  
10 this awful crime. And it won't be easy to do that, because  
11 I'm going to tell you right now, if you haven't already sensed  
12 this, and you probably have, that this is going to be hard.  
13 This is going to be hard to sit through. It's going to be  
14 almost unbearable at times. You're going to see things that  
15 you are never going to be able to unsee. This is ugly. And  
16 you will see violence and death, and most of all you will see  
17 the most unbearable grief on display in this courtroom, and  
18 it's going to be grief from people who did not deserve any of  
19 this. And that is going to be very hard to bear.

20 And you are going to feel enormous sympathy, as well you  
21 should, as anyone would, but you have a job to do that no one  
22 else has, and that is to go deeper, to go beyond the surface  
23 of things, to ask the questions that no one else is required  
24 to ask, to think about why, and to try too understand this as  
25 best you can. For your own sake, for the sake of the verdict

1       you're going to render and for the sake of the community.

2               MR. RICHARDSON:  Objection, Your Honor.

3               THE COURT:  Sustained.  Guilt phase, Mr. Bruck.

4               MR. BRUCK:  Yes, sir.

5               Now, there is one exception, I think, to the general rule  
6       that you just apply your common sense and everyday experience,  
7       and it's one that Judge Gergel instructed you about just a  
8       moment ago.  We're always scanning the horizon, people we see,  
9       and for clues about what's going on with them and who they are  
10      and what they're thinking and how we should evaluate their  
11      behavior.  Well, Judge Gergel told you that in a courtroom  
12      you're not -- you're only supposed to do that through the  
13      witnesses.  And in particular, he told you that the demeanor  
14      of people who are not witnesses, and he listed himself and the  
15      lawyers and the defendant, is not evidence.  Of course you're  
16      going to look at the Dylann Roof and try to figure him out as  
17      he sits in the courtroom.  But be mindful of that instruction.

18              Have you ever had the experience of seeing someone on the  
19      street or out who you thought --

20              MR. RICHARDSON:  Objection, Your Honor.

21              THE COURT:  Mr. Bruck, let's stay on the 33 counts,  
22      let's address the counts.  Sustained.

23              MR. BRUCK:  Yes, sir.

24              THE COURT:  Sustained.

25              MR. BRUCK:  My point is simply that in evaluating the

1 evidence at this stage of the case, Judge Gergel's instruction  
2 means that the defendant's demeanor, whether he may smile when  
3 it doesn't make sense for someone to smile, whether he is  
4 wearing a jail jumpsuit instead of ordinary clothes like  
5 everyone else in this courtroom, whether at times he seems  
6 frozen or rigid or anything else -- and I'm not predicting  
7 what that will be -- none of that is evidence on which you can  
8 base your verdict. And part of the reason for that is that if  
9 you were to disregard that instruction, you might very well  
10 get it wrong, and that would not be fair.

11 You may have guessed by now that we are not going to call  
12 a large number of witnesses, we may not even call any at this  
13 stage of the case. And I will not be the lawyer in the next  
14 stage, so that will be that. We will probably not ask very  
15 many questions of most of the Government's witnesses. The  
16 Government's witnesses at this stage of the trial are  
17 witnesses, too, and when they are finished on the direct we  
18 expect, by and large, the information that those witnesses  
19 have to share with you, will have been imparted.

20 At times we may want to fill out a detail that was left  
21 unsaid or wasn't clarified or needs to be brought out a little  
22 bit more, and if so, we will. When I say we, I'm talking  
23 about myself, also Miss Kim Stevens, who is my co-counsel, and  
24 Emily Paavola, who is also helping represent Dylann. And just  
25 to let you know who else is here, Brandi Newman, the young

1 lady at the end of the table, that's our paralegal to keep us  
2 organized.

3 But by and large, we are going to listen carefully, as you  
4 will, make sure that the evidence is coming in as it should.  
5 At times it will be our job to object or make motions about  
6 it. But don't expect us to produce a great deal of evidence,  
7 and perhaps none at all, because there is not a great deal of  
8 dispute about the facts at this stage, and there's no reason  
9 for lawyers to prolong proceedings any more than they need to  
10 be. This case will be hard enough.

11 Thank you for listening to me. The hard part of this  
12 trial starts now, and it will be hard.

13 Unlike the Government, I will not tell you what verdict to  
14 reach. I'm just asking you to be fair and to dig down past  
15 the appearances to the causes, as best you can discern. If  
16 you do that, you will be doing your job.

17 Thank you.

18 THE COURT: Ladies and gentlemen, those were the  
19 opening statements of counsel. We're going to -- it's a few  
20 minutes to 12:00, I think it's a good time to break for lunch,  
21 and we'll return at 1:00 o'clock.

22 Mr. Cargill, escort the jury back.

23 (Jury excused.)

24 THE COURT: Now we'll resume at 1:00 p.m.

25 (A recess was held at this time.)

## FELICIA SANDERS - DIRECT EXAMINATION

1 (Jury not present.)

2 THE COURT: Any matter to take up before we bring in  
3 the jury?

4 MR. RICHARDSON: Nothing from the Government, Your  
5 Honor.

6 MR. BRUCK: One matter, Your Honor. It may be this  
7 has been taken care of, but I noticed that in the police body  
8 cam video, which the Government intends to offer through the  
9 next witness -- second witness to testify, there is very clear  
10 images of the face of the child victim, and I just wasn't sure  
11 if measures had been taken to ensure that that was not going  
12 to be introduced in evidence, or if we needed to interrupt the  
13 proceedings to take care of that. I don't know.

14 THE COURT: What is the Government's response?

15 MR. RICHARDSON: Your Honor, that video, although  
16 they're not significant, there are images as part of that  
17 video that include the deceased victims. We believe that it  
18 falls under the Court's previous order. It is going to be  
19 introduced as evidence, but we would request, and we think it  
20 falls within the order, that it not be published on the  
21 internet or otherwise.

22 THE COURT: I think he's saying about there's a  
23 surviving child?

24 MR. BRUCK: Child survivor, that's right.

25 THE COURT: I mean, what's the Government's response



## FELICIA SANDERS - DIRECT EXAMINATION

1 to that?

2 MR. RICHARDSON: Your Honor, we think it falls within  
3 the same idea of the Court's order.

4 THE COURT: It's evidence in the case. Whatever it  
5 is, it is. So I overrule it, to the extent there's an  
6 objection, I overrule that objection.

7 MR. RICHARDSON: Thank you.

8 THE COURT: Anything further?

9 MR. RICHARDSON: Nothing, Your Honor.

10 (Jury present.)

11 THE COURT: Government calls its first witness.

12 MR. RICHARDSON: Your Honor, the Government calls  
13 Miss Felicia Sanders.

14 FELICIA SANDERS, a witness called by the Government, first  
15 having been duly sworn, testified as follows:

16 DIRECT EXAMINATION

17 BY MR. RICHARDSON:

18 Q. Good afternoon.

19 A. Good afternoon.

20 Q. Miss Felicia, tell us where were you born?

21 A. Charleston, South Carolina, downtown Charleston.

22 Q. And how long have you lived here in Charleston?

23 A. Fifty-eight years.

24 Q. Did you have times where you left Charleston and came back  
25 home?

## FELICIA SANDERS - DIRECT EXAMINATION

1 A. I left twice, but it's nowhere like Charleston.

2 Q. Nowhere like home, right?

3 A. Right.

4 Q. Where did you go to high school?

5 A. I went to Columbus Street Elementary and Charles A. Brown  
6 High.

7 Q. And when you graduated from high school, tell me, where  
8 did you go?

9 A. I went to barbering school at first, then I went to  
10 cosmetology school.

11 Q. Then after you finished with cosmetology school, what did  
12 you do then?

13 A. Went directly to work.

14 Q. And tell me, where did you go to work when you finished?

15 A. I started at Shawan's Barber, then I opened my own salon  
16 after leaving that barber shop, I opened my own salon,  
17 Felicia's Styling Boutique.

18 Q. And approximately when did you open up your own salon?

19 A. In '88.

20 Q. Are you married now?

21 A. Yes.

22 Q. And you're married to Tyrone, right?

23 A. Tyrone.

24 Q. He's sitting in the front row there, right?

25 A. Yes.

## FELICIA SANDERS - DIRECT EXAMINATION

1 Q. And you've also got a couple kids, right?

2 A. I have three kids.

3 Q. Who is your daughter?

4 A. Shirrene Goss.

5 Q. She's in the front row too, right?

6 A. Yes, she is.

7 Q. And Shirrene's married?

8 A. Yes, she is.

9 Q. She has family of her own?

10 A. Yes, she does.

11 Q. And where do they live?

12 A. Duncan, South Carolina.

13 Q. And you've got an older son as well?

14 A. Maurice.

15 Q. And Maurice lives here in Charleston?

16 A. Yes, he does.

17 Q. And you have a youngest son?

18 A. Tywanza.

19 Q. In addition to the three children that were your own, from  
20 time to time did you end up with other children and young  
21 people that lived with you, you took care of?

22 A. I took care of whoever would be in my house.

23 Q. And from time to time you'd bring in your house and have  
24 young people live with you for years at a time?

25 A. Yes.

## FELICIA SANDERS - DIRECT EXAMINATION

1 Q. Can you estimate for me how many different young people  
2 you had living in your house with you at different points?

3 A. I would say probably over 20.

4 Q. When you grew up, who mostly raised you?

5 A. My grandmother.

6 Q. And your grandmama raised you, and where did your  
7 grandmama go to church?

8 A. Emanuel AME.

9 Q. And when did you start going to Emanuel AME?

10 A. As soon as I was old enough to make my own decision. I  
11 went to my grandmother church because we used to go to my  
12 father church.

13 Q. And your father's church was a different church in  
14 downtown Charleston?

15 A. Yes.

16 Q. When you grew older, now I want to just sort of fast  
17 forward to sort of 2015, tell me, were you actively involved  
18 at Mother Emanuel?

19 A. Yes, I was.

20 Q. Tell me some of the ways in which you were involved in the  
21 Mother Emanuel family.

22 A. I used to be on the trustee board, I used to be on the  
23 steward board. At the time of the killing I was the president  
24 of the usher board. Kitchen committee, church school, Bible  
25 study, and everything else that needed to be done.

## FELICIA SANDERS - DIRECT EXAMINATION

1 Q. Let me just talk to you about a few of those. What does  
2 the trustee board do?

3 A. The trustee take care of the property of the church.

4 Q. And you mentioned that for awhile you were also on the  
5 steward board. What's the steward board?

6 A. The steward board take care of the church itself, the  
7 spiritual part of it.

8 Q. And you mentioned the kitchen committee; is that sort of  
9 an unofficial one at the church?

10 A. Right.

11 Q. Okay. You have a specialty of frying chicken, right?

12 A. Yes, I was the chicken fryer.

13 Q. Something Tyrone appreciates too, right?

14 A. Yes.

15 Q. In addition to the boards you talked about, were you also  
16 involved, in late 2014, with the revival at Mother Emanuel?

17 A. Yes, I was the chairperson of the revival, a very  
18 successful revival.

19 Q. Tell us a little bit about what a revival is; what's that  
20 include?

21 A. A revival -- it was a three-day revival. And what we did,  
22 we got spiritual leaders to lead the revival, and we all came  
23 together. And what I did, I got the church directory and I  
24 invited everyone who has left the church, back to the church.  
25 And I went out by the stores and invited people to come. So

## FELICIA SANDERS - DIRECT EXAMINATION

1 we had a full house for the three days. What the revival was,  
2 you come, you worship and get revived.

3 Q. And did you have ministers you knew that preached?

4 A. Yes.

5 Q. And you had lots of people that helped you put it on,  
6 right?

7 A. Yes.

8 Q. Tyrone gets sort of drug into whatever it is you're doing,  
9 right?

10 A. Anybody who know me get drug into what I'm doing.

11 Q. Among those that you had help you for the revival, tell me  
12 about what you asked Tywanza to do.

13 A. I asked Tywanza to do the welcome. And he went up there  
14 to do the welcome, he started reading poetry. Not reading, he  
15 started giving a poetry reading. And I was in the back, I  
16 said, didn't I tell that boy just to do the welcome? And when  
17 he came back he said, Mama, this is my gift from God, he wants  
18 me to do it whenever I can.

19 Q. And Tywanza was big into writing poetry?

20 A. He did lots of writing, and he left enough poetry for me  
21 to read the rest of my life.

22 Q. You also mentioned that at the time of this you were on  
23 the elevator committee?

24 A. I was on the elevator committee. I wasn't asked to be on  
25 the elevator committee, but I saw the need, so I joined the

## FELICIA SANDERS - DIRECT EXAMINATION

1 elevator committee myself, because I know I can pull a lot of  
2 people in and raise a lot of money, so that's what I did.

3 Q. So tell me, why it is that Emanuel, for people that might  
4 not have been to Emanuel previously, why is it that an  
5 elevator was so needed at Emanuel?

6 A. Because on Sundays, or any time you have programs upstairs  
7 in the main sanctuary, so much of the older people would be  
8 left in the fellowship hall. And I just didn't like seeing  
9 them down in the fellowship hall, so I put myself on the  
10 elevator committee so I can help this go on, and I -- my  
11 uncle, I took my uncle to church one time and he was in a  
12 wheelchair, and it was so hard for us to get him upstairs, and  
13 that was my motivation.

14 Q. Okay. And when you go to Emanuel, the fellowship hall is  
15 the first floor?

16 A. The basement.

17 Q. Right. It's the basement, but it's above ground, right?

18 A. Yes.

19 Q. And then the actual sanctuary is -- sits above that  
20 fellowship hall?

21 A. Yes.

22 Q. And were you part of an elevator committee meeting that  
23 afternoon of June the 17th?

24 A. Yes, we had an elevator committee meeting at 5:00 o'clock.

25 Q. Okay. And where was that meeting held?

## FELICIA SANDERS - DIRECT EXAMINATION

1 A. In the fellowship hall downstairs. On the side.

2 Q. I want to come back to the fellowship hall. You mentioned  
3 a number of other things that you were involved in; you talked  
4 about the usher board.

5 A. Yes. I was the president of the usher board.

6 Q. What is the usher board?

7 A. The usher board is a group of -- in my case it was a group  
8 of ladies, I think we had one man, but I share every fourth  
9 Sunday.

10 Q. When you talk about ushering in church, that's sort of a  
11 lot of walking and getting people in and out?

12 A. The starting of your job was to be a greeter. And once  
13 you greeted the parishioners in, you make sure everybody  
14 comfortable, pass out programs, water sometimes, and just make  
15 sure everything is done correct. You're actually the  
16 overseer.

17 Q. As part of your job ushering, did you limit yourself to  
18 just ushering every fourth Sunday?

19 A. I would put flat shoes in my car, because somehow I  
20 managed to usher most every Sunday.

21 Q. And you knew there was flat shoes if you were going to be  
22 walking around that much, right?

23 A. Yes.

24 Q. After the elevator committee meeting took place, tell me  
25 how that -- how did that end up? How did you stop that and



## FELICIA SANDERS - DIRECT EXAMINATION

1 head into the next meeting for the day?

2 A. Well, at the elevator committee, we were almost about to  
3 finish the elevator, so we were talking about the first ride  
4 party. And so you have booklets. And then a preacher  
5 interrupted the meeting and said he wanted us to all be at the  
6 church conference.

7 Q. And when you say the preacher, you're referring to  
8 Reverend Pinckney?

9 A. Yes.

10 Q. And you indicated that y'all were -- you're almost  
11 finished with the elevator at that point and you were getting  
12 ready to celebrate the first ride party.

13 A. Yes.

14 Q. How had you raised the money to fund an elevator at  
15 Emanuel?

16 A. Eighty-five percent of the money came from the  
17 parishioners, the members of the church, and the  
18 other 15 percent came from outside entities.

19 Q. When you finished the elevator meeting and moved into the  
20 conference meeting, what time was that starting?

21 A. Six o'clock.

22 Q. Okay. And where was that? Was that in the fellowship  
23 hall?

24 A. That was in the fellowship hall.

25 Q. You mentioned Reverend Pinckney.

## FELICIA SANDERS - DIRECT EXAMINATION

1 MR. RICHARDSON: Your Honor, at this time we'd move  
2 to admit Government's Exhibit 11 through 19.

3 THE COURT: Any objection?

4 MR. BRUCK: No objection.

5 THE COURT: Government Exhibits 11 through 19  
6 admitted without objection.

7 (Government Exhibits 11 through 19 received.)

8 BY MR. RICHARDSON:

9 Q. Miss Felicia, I'm going to put up on the screen for you,  
10 if you don't mind, Government Exhibit 11. You can probably  
11 see it well there, I have -- And who is this?

12 A. Reverend Clementa Pinckney.

13 Q. And he was the church pastor?

14 A. Yes, he was.

15 Q. Was he at the conference? You said he brought you into  
16 the conference that evening?

17 A. Yes.

18 Q. And part of the quarterly conference, were there preaching  
19 certificates that were awarded?

20 A. Yes, there was three.

21 Q. Okay. And did that include Miss Myra Thompson?

22 A. That included Myra, Miss Myra Thompson, Reverend Myra  
23 Thompson.

24 Q. As well as Reverend Depayne Middleton?

25 A. Reverend Depayne Middleton also.

## FELICIA SANDERS - DIRECT EXAMINATION

1 Q. I want to stop before we go to the Bible study that  
2 started after the quarterly conference and talk to you a  
3 little bit about Bible study in general.

4 A. Okay.

5 Q. Were you a regular attending Wednesday night Bible study  
6 at Emanuel?

7 A. Yes, I was.

8 Q. What time did it normally start?

9 A. Six to 7:00.

10 Q. How long did it typically last?

11 A. One hour.

12 Q. About an hour? Who was the normal leader of that  
13 Wednesday night Bible study?

14 A. Reverend Daniel Simmons.

15 MR. RICHARDSON: If we can put up Government's  
16 Exhibit 12, Ms. Baker.

17 Q. Is that Reverend Simmons?

18 A. Yes, it is.

19 Q. Tell me a little bit about what kind of preparation  
20 Reverend Simmons had the members of the Bible study doing in  
21 advance each week.

22 A. Reverend Simmons, when he entered the church he would  
23 bring about five to six books, including the newspaper, and he  
24 would have us to study whatever we were going to study that  
25 night, he would tell us about a week before.

## FELICIA SANDERS - DIRECT EXAMINATION

1 Q. So you got homework for Bible study?

2 A. Yes.

3 Q. How long had you known Reverend Simmons?

4 A. I've known Reverend Simmons for about two or three years.

5 Q. What did Reverend Simmons do before he came to Mother  
6 Emanuel here in Charleston?

7 A. He was a pastor somewhere else. He was a retired pastor  
8 when he came to Mother Emanuel.

9 Q. Can you tell me a little bit about -- you mentioned he  
10 always had a bunch of books with him. Can you tell me a  
11 little bit about his approach to studying the Bible and Bible  
12 study?

13 A. Reverend Simmons was very serious about that Bible study,  
14 and any kind of church affair. When you come in Bible study,  
15 he would give you a summary what we was going -- not a  
16 summary -- he would tell us what we were going to talk about,  
17 then he would ask us if we remembered what we talked about  
18 last week, and then we would proceed with the Bible study.

19 Q. Okay. You described him from time to time as being a  
20 stern guy.

21 A. He was very stern. Very stern. He speak with a loud  
22 clear voice. He wore -- he had a smile, but when it comes  
23 down to studying that Bible, he really wanted you to pay  
24 attention.

25 Q. Um-hum. You mentioned earlier during the Bible studies he

## FELICIA SANDERS - DIRECT EXAMINATION

1 always had a newspaper and wanted to talk about the newspaper.  
2 How did he work the newspaper into the religious study that  
3 you were doing?

4 A. It was always something in the paper that would relate to  
5 the Bible.

6 Q. In the context of Mother Emanuel in general, tell me how  
7 important Reverend Simmons was to the church.

8 A. Reverend Simmons, to me, was the backbone of the church.  
9 So many times at Bible study, even after he had surgery, he  
10 would make sure we have Bible study. I monitor him, he had  
11 surgery, and he came to Bible study and I would see him get up  
12 and stomp his feet on the floor of the church, and I know he  
13 wasn't ready to come back to Bible study, but he wanted to  
14 make sure we have it every Wednesday. We had it every  
15 Wednesday.

16 Q. When he would be at Bible study, he was a man who could  
17 get excited?

18 A. Yes.

19 Q. What would he do when he'd get excited about preaching and  
20 studying the Bible?

21 A. He would beat on the table. Either click his teeth or  
22 something he used to do.

23 Q. In addition to seeing him at Bible study, did you also sit  
24 beside him at church school?

25 A. I sit beside him all the time at church school. I would

## FELICIA SANDERS - DIRECT EXAMINATION

1 sit on one side and my son would sit right next to me.

2 Q. And we talk about church school, sometimes we refer to  
3 that as Sunday school?

4 A. Yes, Sunday school.

5 Q. You mentioned your son, Tywanza, and his relationship with  
6 the Reverend Simmons. Tell me a little about that. How did  
7 Tywanza and Reverend Simmons get along?

8 A. Tywanza love Reverend Simmons. He liked the sternness  
9 that Reverend Simmons had. He learned a lot. And we would  
10 always be talking about what went on in church school on our  
11 way home. Right before Reverend Simmons got killed, he  
12 prophesied that Tywanza would be great, and he was going to  
13 make a lot of money.

14 Q. You also often took your 11-year-old granddaughter with  
15 you to Bible study.

16 A. Yes.

17 Q. Tell me a little bit about how Reverend Simmons would  
18 interact with an 11-year-old girl in the context of a Bible  
19 study.

20 A. Well, when we would go to Bible study I would always tell  
21 her be quiet. But when Reverend Simmons would call on one of  
22 us to read, her hands would go up first. And she would read,  
23 or either answer the questions about the Bible study, and he  
24 would give her a penny. And I remember saying, golly, he  
25 can't give her a quarter? But he would always give her a

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1 penny or a nickel, and she was just as happy with that penny  
2 or nickel.

3 Q. He was old school that way, right?

4 A. Yes, he was old school. And that reminded me back in the  
5 days that's something they used to give us.

6 Q. Tell me a little bit about how you felt and feel about  
7 Reverend Simmons, your relationship.

8 A. I called Reverend Simmons my godfather, because he would  
9 never get my name right. He would always call me Falita. And  
10 everybody would say you need to tell him your name is Felicia.  
11 I say no, that's fine. So he would always say Falita, Falita,  
12 you know the answer, Falita.

13 Q. Let me ask you about that night. I know Reverend Simmons  
14 was there, but who was scheduled to lead the Bible study the  
15 night of June the 17th?

16 A. Myra Thompson.

17 MR. RICHARDSON: Can we put up Government's  
18 Exhibit 19, Ms. Baker.

19 Q. Why was it that Myra was leading the Bible study that  
20 night?

21 A. Myra was into ministry, so Reverend Simmons was preparing  
22 her for what to come, and he may have been preparing her to  
23 take over the Bible study, because I know he had some illness.

24 Q. Um-hum. And had she done it before, had she led the Bible  
25 study group previously?

## FELICIA SANDERS - DIRECT EXAMINATION

1 A. She would do the prayer, but this was her first time  
2 actually doing the Bible study.

3 Q. And when you talk about the prayer, Bible study on  
4 Wednesday nights, how would y'all start the Bible study?

5 A. We would always start with the hymn, then a prayer, then  
6 we would go right into Bible study.

7 Q. How long had you known Myra?

8 A. I known Myra basically all my life.

9 Q. Y'all grew up together?

10 A. Yes.

11 Q. In Charleston as well as in Mother Emanuel?

12 A. Yes.

13 Q. As you were older, what kind of roles did Myra play in  
14 Mother Emanuel?

15 A. Myra did everything. And not to be rude or anything, I  
16 used to call Myra the bugaboo.

17 Q. And why did you refer to her as the bugaboo?

18 A. Because Myra was everywhere in the church. Myra wanted  
19 everything to be done correct, and Myra made everybody else do  
20 what they were supposed to do. And Myra just -- she was over  
21 the top.

22 Q. What official role did she have? Did she serve on the  
23 trustee board?

24 A. She was the pro tem on the trustee board.

25 Q. What's that mean, what is the pro tem's job on the trustee



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1 board?

2 A. Almost like being the president of the organization, she  
3 was the go to person.

4 Q. Given the quarterly conference, it had sort of run on a  
5 little longer than planned, tell me a little bit about why  
6 y'all decided to go ahead and have the Bible study that night.

7 A. Myra had prepared the Bible study -- study for that night.  
8 She was overwhelmed. She was so happy that she got an  
9 assignment from Reverend Simmons, and she wanted to show  
10 Reverend Simmons that she really studied and she was ready for  
11 him.

12 Q. And in the discussions you were having, was there a  
13 champion that was really pushing to have the Bible study so  
14 Myra would get the chance to do that?

15 A. Right after the church conference, we went back and forth  
16 a couple of times about canceling, staying, canceling,  
17 staying, canceling, staying, and as we was getting ready to  
18 cancel, Reverend Depayne Doctor said, we are here, we have our  
19 Bible and everything, let's just have it at least 30 minutes;  
20 where with Myra, there is no 30 minutes.

21 Q. Those that knew Myra well knew that she was not  
22 short-winded on anything.

23 A. She was long-winded.

24 Q. That's true whether she was praying or preaching, right?

25 A. Anything Myra did.

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1 Q. Okay. Was Myra encouraging others, because of her  
2 excitement, was she encouraging others to stick around?

3 A. Yes, Miss Polly.

4 Q. And tell me just a minute -- and we'll get it more from  
5 Miss Polly later -- but fair to say Myra and Miss Polly were  
6 close?

7 A. Yes.

8 Q. Let me talk to you just a little bit about the few of the  
9 others that stayed as well.

10 MR. RICHARDSON: Put up Government's Exhibit 13,  
11 Ms. Baker.

12 Q. Who is this?

13 A. That's Cynthia Hurd.

14 Q. How long had you known Cynthia?

15 A. I knew Cynthia Hurd for quite a long time.

16 Q. As you got to be adults in Mother Emanuel, did y'all get  
17 to be close?

18 A. Yes. She would sit right next to me. She would be in the  
19 middle and I would be on the side aisle. We would always talk  
20 in passing and after church.

21 Q. And that's in the sanctuary on Sunday morning?

22 A. In the sanctuary.

23 Q. Tell me a little bit about what she was like.

24 A. She was warm, very warm. Hard working. She would always  
25 just pat you on the back, not a lot of words, but she would

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1 pat you on the back. Her and Sharonda was really best  
2 friends. I kind of feel bad when I talk about Cynthia Hurd,  
3 because I asked her to stay to Bible study.

4 Q. Tell me -- I know this is hard -- tell me how that  
5 happened.

6 A. She came to drop something off at the church. I don't  
7 know what it was. And her and I got to praying. And she  
8 said, no, I'm leaving. And she said, I love you, Felicia  
9 Sanders. I said, you love me, you'll stay to Bible study.  
10 And she sat right next to Sharonda and stayed.

11 Q. You mentioned Sharonda, Reverend Coleman-Singleton.

12 MR. RICHARDSON: Can we put up Government's  
13 Exhibit 18.

14 Q. How did you meet Reverend Coleman Singleton?

15 A. Sharonda came to us from Atlanta.

16 Q. And what was her role at the church?

17 A. Sharonda went into ministry and immediately started  
18 preaching. Sharonda was the apple of everybody eye. She had  
19 a bright smile. Any time she went into the room, the whole  
20 room would light up. That's the type of person Sharonda was.  
21 Sharonda, even though she had her own share of problems, she  
22 never let nobody know what she was going through. She would  
23 encourage you. I would have prayer breakfasts at my house,  
24 and Sharonda would always be over to prayer breakfast at my  
25 house, and we just got close. Sharonda was the most sought

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1 after minister in Charleston.

2 Q. What do you mean by that?

3 A. Once you meet her and hear her preach, you want her to  
4 come back to your church and preach. She would be all over  
5 the place. When I look at her, everybody wanted Sharonda, but  
6 for some reason I thought Sharonda needed me.

7 Q. Sharonda was heavily involved with the young people at  
8 Mother Emanuel?

9 A. Yes.

10 Q. And did she have a particular relationship with your  
11 granddaughter?

12 A. Yes, she did.

13 Q. Tell me a little bit about that.

14 A. They would, even before they started having church school,  
15 Sharonda would always come and talk to the kids and how the  
16 kids -- and just play with the kids. Sharonda have a smile  
17 that would attract any young person. I remember one day she  
18 gave out her phone number to the entire church, just to let  
19 any young person know if they need her, give her a phone call.

20 Q. Did she, Reverend Sharonda Coleman, did she attend Bible  
21 study each and every week?

22 A. She didn't come each and every week because she have some  
23 active kids. So when she could come, she would be there.

24 Q. She had three kids that were involved in a variety of  
25 different activities?

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1 A. Yes.

2 Q. Including a son that played baseball?

3 A. Yes.

4 Q. Do you know what she did outside of church?

5 A. Outside of church she was the coach at Goose Creek High.  
6 The track coach.

7 MR. RICHARDSON: Would you put up Government's  
8 Exhibit 17, Ms. Baker.

9 Q. Who is this?

10 A. Reverend Depayne Middleton.

11 Q. Who did she typically bring with her to Bible study on  
12 Wednesday nights?

13 A. First she would enter the room, and then the four girls  
14 would be right behind her.

15 Q. The four girls were recognizable?

16 A. Yes.

17 Q. They were tall and athletic?

18 A. Very tall, beautiful girls.

19 Q. What would they bring with them when they came to Bible  
20 study?

21 A. Each one would have a cup of milkshake.

22 Q. Why had the four girls not come with Depayne that night?

23 A. It's so ironic that right before the shooting start, I ask  
24 her, where's your girls, because I'm so used to seeing the  
25 four girls right behind her. And she didn't -- she said she

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1 needed to come over to the church right away because they had  
2 a meeting, she was going to get her preaching certificate, and  
3 she didn't trust the car that the girls would be riding in, so  
4 she didn't trust them coming down at that time of night to  
5 Bible study.

6 Q. Had you heard Reverend Middleton preach before?

7 A. Yes, I have.

8 Q. Have you also heard her sing?

9 A. Yes, I have.

10 Q. Can you tell me about her preaching and singing?

11 A. She had a lot of passion. She had a lot of passion. If  
12 you look at her, her eyes have a lot of passion. She had a  
13 little sadness about her, but she had a lot of passion for the  
14 Word. When she sang, her voice sound so sweet. She was a  
15 loveable person, a loveable person. I always admired that she  
16 would come with her four daughters, which is important  
17 nowadays to bring your kids to church with you.

18 MR. RICHARDSON: Can we put up Government Exhibit 14,  
19 Miss Baker.

20 Q. Who's this?

21 A. That's Miss Lance, Miss Ethel Lance.

22 Q. Tell me, what did Miss Ethel Lance do with the church?

23 A. Miss Ethel Lance was on my usher board first. She was the  
24 sexton of the church. She had a walk about her called a swag.  
25 Nobody else can do it like Miss Lance could do it.

## FELICIA SANDERS - DIRECT EXAMINATION

1 Q. Was she -- fair to say she seemed to always be there?

2 A. She was there much too much.

3 Q. Some might say overworked doing it?

4 A. She was overworked and underdeserved.

5 Q. Tell me a little bit about her. You and I have had the  
6 chance to visit about her. You talk about her sense of humor.  
7 Tell me a little bit about how funny Miss Lance was.

8 A. You can look at her smile now and see how funny she was.  
9 She would always have a joke to tell us. She would always  
10 tell about her grandkids and the way each one of her grandkids  
11 would talk, walk, whatever. But she always have a joke.  
12 Especially her granddaughter Nadina, she always show you how  
13 Nadina bat her eyes and how Nadina so pretty.

14 Q. She was fairly engaged as a mother and grandmother?

15 A. Yes.

16 Q. She talked about her kids and grandkids a fair bit?

17 A. She loved those grandkids. She loved each and every last  
18 one of them. She loved her kids. She was always talking  
19 about Gary and Esther. She wanted to make sure they had  
20 everything they needed all the time.

21 Q. And she had had the unfortunate circumstance of having a  
22 child pass away before she did?

23 A. Terry.

24 Q. And you mentioned her son Gary, who is with us today.

25 Tell me a little bit about what she would do to help Gary.

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1 A. Gary is a special need young man. She would always make  
2 sure he had food to eat, gas in the car, she would always go  
3 check on him, and she would make sure his bills or whatever  
4 for that month is paid. She would just say "I have to go  
5 check on Gary" all the time.

6 Q. And in turn, Gary also helped her at the church?

7 A. Gary came to the church and helped her a lot.

8 Q. Miss Lance, did Miss Lance have a song that she loved?

9 A. Miss Lance, any time we would sing One Day at a Time, we  
10 know Miss Lance was going to get started. She loved One Day  
11 at a Time. She really loved that song. Soon as the others  
12 start, I would say get prepared, you would have to go over to  
13 Miss Lance.

14 Q. Let me ask you a little bit about your aunt that was  
15 there. Who is your aunt that was with you?

16 It's okay, take your time.

17 A. First of all, my Aunt Susie is my friend. She was my best  
18 friend. My Aunt Susie. Sweetest person I know. Me and Susie  
19 did so much together.

20 I found out I have breast cancer, and Aunt Susie and Aunt  
21 Eva, my mother-in-law, we went up into the mountains. And it  
22 was scary going up there. And I can remember Aunt Susie just  
23 praying in the car so loud because I had to make a three-point  
24 turn up in the mountains and that was so scary. But when we  
25 got there, I asked the doctor, I said, how soon I have to have



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1 surgery? He said, why? I said, I need to go on vacation. He  
2 said, you need to go on vacation? I said, yes.

3 So anyway, we got the car full, it was a lot of us, we  
4 went up into the mountains, and for one full week we had  
5 praise and worship every day. Every day. And as soon as I  
6 got back to Charleston, I went and I said I'm ready for my  
7 surgery.

8 Aunt Susie and Aunt Eva and other sisters, we did a lot of  
9 praying and everything. And I had the nine-hour surgery. But  
10 I was able to set up that same night and talk, and Aunt Susie  
11 helped me do all of that.

12 Q. Tell me about -- I'm trying to think which of the stories  
13 I should talk about -- but when, you know, when you talked to  
14 Aunt Susie, what would you know that Aunt Susie was never  
15 going to do?

16 A. I would say -- I would know -- I would know Aunt Susie  
17 went somewhere, and I would be all ready to hear the story  
18 that it wasn't good, the affair wasn't good. And I would say,  
19 Aunt Susie, how was the wedding reception, or how was the  
20 banquet or something, she'd say, oh, the affair was so nice,  
21 it was beautiful.

22 Q. Never had a bad word to say about anything?

23 A. Aunt Susie would never say anything about anything,  
24 anybody, even when Aunt Susie know somebody is not right, she  
25 would say, oh, he just a little mixed up.

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1 Q. Tell me a little bit about what Aunt Susie did for others  
2 every morning when she woke up.

3 A. Aunt Susie was 87 years old. Every morning she get up,  
4 she would call all of her sisters, all of her friends, all the  
5 singing sisters, and make sure they took their medicine. She  
6 would make hair appointments for them, she would make me come  
7 and pick them up to take them to the hair appointment and take  
8 them back home. That's what Aunt Susie did.

9 Q. You tell the story from time to time of Aunt Susie always  
10 having \$5 in her pocket. Why did she carry \$5 with her all  
11 the time?

12 A. I say, Aunt Susie -- She said, I got \$5. I say, you  
13 always have \$5. She say, well, when you know the robbers come  
14 and get you, they want money, so I have \$5 for them all the  
15 time.

16 Q. I can tell somebody else has heard that story before.  
17 What role did Aunt Susie play in the Jackson family?

18 A. Aunt Susie was the matriarch of the whole bunch.

19 Q. When you say the whole bunch, it was one of the largest at  
20 Emanuel?

21 A. The largest in Emanuel Church.

22 Q. When you talk about somebody as a matriarch, tell me what  
23 you mean by that.

24 A. Aunt Susie tell you what to do, when to do it, how to do  
25 it, and why to do it, and you got it done.

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1 Q. Not a lot of people asking questions back?

2 A. Not to Aunt Susie. I mean, the way she would talk to you,  
3 it's hard to tell Aunt Susie no.

4 Q. Did she serve the church in a variety of ways? Talk first  
5 about the usher board.

6 A. I believe during the years she did everything there is to  
7 do in the church, too. But she wasn't on the usher board at  
8 the time I was on the usher board; she was on the choir.

9 Q. She was on the choir?

10 A. Yes.

11 Q. So tell me a little bit about how she sang.

12 A. Aunt Susie have a beautiful voice. Beautiful voice. But  
13 not only she would sing, any time someone died or any time  
14 there's a program at the church, Aunt Susie called all the  
15 sisters, all the members of the choir, and make sure there was  
16 a choir there.

17 Q. Where in Mother Emanuel, where does the choir sit?

18 A. To think about it, you would think it's on the third floor  
19 of the building.

20 Q. So you've got to walk up the stairs to get there?

21 A. Narrow stair, you have to walk up a narrow stair to get to  
22 the choir loft.

23 Q. Ever hear Miss Susie complain about walking up that stair?

24 A. No. No, no.

25 Q. What kind of relationship did Aunt Susie have with your

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1 granddaughter?

2 A. My granddaughter love Aunt Susie. She just really love  
3 Aunt Susie. She loves to hug Aunt Susie. When I would take  
4 Aunt Susie home at night, she would get out the car, walk Aunt  
5 Susie to the house, took all the bags in, tried to tote Aunt  
6 Susie in, and they would hug and kiss. And Aunt Susie would  
7 always say, I love you. And she would get back in the car.  
8 Then half the way home, we would talk about Aunt Susie.  
9 Before we even get home.

10 Q. Tell me a little bit about your granddaughter. How old  
11 was she at the time of this attack?

12 A. Eleven years old.

13 Q. How long has she been living with you?

14 A. She been with me off and on since she been a baby.

15 Q. Tell me a little bit about -- I don't want to spend too  
16 much, but tell me a little bit about her. What did she love  
17 to do?

18 A. She loves to hug. She loves to hug, she loves to be  
19 directly in my face constantly. She loves to sing. She loves  
20 to come to Bible study, and she's a pretty good person to do  
21 some praying.

22 Q. Does she like to collect things?

23 A. I call her hoarder. She call herself the collector. I  
24 tell her she need to organize her collection.

25 Q. You mentioned that from time to time now she likes to be

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1 right in your face.

2 A. Directly in my face, even when I go to the bathroom, I  
3 open the door and her nose was right to the bathroom door.  
4 She sleeps in my room. It's just hard for her to break away  
5 from me. And I understand. I understand. But she is really  
6 tight with me right now.

7 Q. That's been something that's really developed since the  
8 attack happened?

9 A. Yes.

10 Q. Tell me just a little bit about Tywanza's relationship  
11 with your granddaughter.

12 A. Tywanza take on a father role. He would talk to her all  
13 the time. That what she like. She said he had a lot of  
14 muscles, which I didn't see. So he used to pick her up on his  
15 muscles, she would hang on to his arm and he would pick her up  
16 and down. And then he would take her to the park and they  
17 would talk all the time. But during the summer months it turn  
18 into Tywanza Camp. So Tywanza Camp consists of three or four  
19 little girls between the ages of eight and 12. And me and my  
20 daughter would tell them, you have to read, you have to do  
21 math, anything, we would get grumbles. And then Tywanza would  
22 come and say, well, y'all going to read this month, and then  
23 y'all going to do this amount of math today, and then we're  
24 going to go outside and play. They would sit there and do it.  
25 And I said, well, we just told y'all to do this. Tywanza say

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1 for us to do it.

2 Q. Different when he said it, wasn't it?

3 A. Yes.

4 MR. RICHARDSON: Can we put up Government's  
5 Exhibit 16.

6 Q. How did Tywanza end up at Bible study that night?

7 A. Me and Tywanza was very very close. Very close. He would  
8 come to Sunday school, he would come to Bible study. That  
9 morning when I dropped him off to the bus stop he said, Mama,  
10 are we having Bible study today? I said, well, you going to  
11 have to -- I'm going to have to call you, because I don't  
12 know, we may cancel it. And he said, y'all going to cancel  
13 Bible study? I said, yeah, because we have a church  
14 conference meeting. And then during the day me and him talked  
15 back and forth, and we still didn't have any changes on  
16 whether we was going to cancel or not.

17 But the last text message I got from him was, are we  
18 having Bible study? And I text him back to say yes. And he  
19 showed up at Bible study.

20 Q. Where did Tywanza go to high school?

21 A. Tywanza went to King Solomon Charter.

22 Q. Where did he graduate from college?

23 A. Allen University in Columbia.

24 Q. You talked a little bit about his love of poetry and  
25 writing and --

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1 A. Yes.

2 Q. -- and lyrics. Was he also into acting?

3 A. Yes, he was studying. Tywanza worked so many jobs, he  
4 just did a lot of things. He worked a lot of jobs. And so  
5 during the time he was studying to be in the play, he was  
6 working at the barber shop in the morning, Steak and Shake at  
7 night, and studying to be a player at Royal Baptist Church  
8 during the middle of the day.

9 Q. And was he viewed in the family, was he the baby in the  
10 family?

11 A. He was everybody's baby, even though he was the tallest  
12 one.

13 Q. He knew how to use that, right?

14 A. Yes.

15 Q. I want to turn back and talk to you just a little bit  
16 about the Bible study that night. Tell me how you got  
17 started. After the conference was over, the 12 of you  
18 gathered together; tell me how you started.

19 A. We sang a song, then we did a prayer, and Myra went and  
20 right on into Bible study.

21 Q. And what were you studying that week?

22 A. We were studying the Book of Mark.

23 Q. Which of Jesus' parables were you studying? Were you  
24 studying the parable of the sower?

25 A. Yeah, of the sower.

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1 Q. In this Bible study in this context, how many people  
2 brought their Bibles with them?

3 A. Basically everybody come to Bible study have their own  
4 personal Bibles, but we have Bibles at the church also.

5 Q. And did you bring your own personal Bible with you?

6 A. Yes.

7 Q. And when you talk about your personal Bible, how often did  
8 you turn to that Bible for wisdom or insight?

9 A. That's my life. For everything. I actually taught my  
10 kids the B-I-B-L-E, Basic Instructions Before Leaving Earth.

11 Q. After you started Bible study that night, did somebody  
12 else join that group of 12?

13 A. Yes.

14 Q. What did he look like?

15 A. He looked like the defendant sitting right over there.

16 Q. A white man?

17 A. Yes.

18 Q. Was it unusual to you to have a visitor at the Bible  
19 study, even a white guy?

20 A. No.

21 Q. In your time at the Bible study, you had experiences where  
22 that group, and yourself in particular, offered and helped  
23 those that came into the church looking for that help?

24 A. If that guy over there came in the church and told me that  
25 he needed a place to stay, I guarantee you he would have been



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1 staying in my house.

2 Q. Who first mentioned that somebody had walked into the  
3 fellowship hall?

4 A. When he walked in, he asked if we was having Bible study,  
5 and basically we all say yes. And then Sharonda say, Pastor,  
6 we have a visitor.

7 Q. And having Sharonda say that to Pastor Pinckney, what did  
8 he do?

9 A. He sat up and invited him to have a seat right next to  
10 him.

11 Q. And what did he give to the defendant when he got there?

12 A. He gave him a Bible and a sheet of the paper we were  
13 working on.

14 Q. The sheet that Myra had prepared in preparation?

15 A. Yes. Um-hum.

16 Q. Tell me a little bit about what your impressions were when  
17 he walked in.

18 A. I didn't really have one. I just thought he was somebody  
19 coming in to seek the Word.

20 Q. You mentioned during the Bible study Depayne told a little  
21 story about returning library books.

22 A. Yes.

23 Q. Right? And there was a humorous story. How did the  
24 defendant react to that story?

25 A. He chuckled.

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1 Q. Was he engaged at other times during the course of the  
2 Bible study?

3 A. Basically the most of the times he hang his head down just  
4 the way he's doing right now.

5 Q. How long was he there, from when he walked in and Reverend  
6 Pinckney gave him a seat right beside him, until the Bible  
7 study drew to a close?

8 A. I would say about 45 minutes. To an hour.

9 Q. And when Bible study finished up, when it got ready to  
10 close, how did you do that? How did y'all close out Bible  
11 study?

12 A. We stood up, shut our eyes to say a prayer.

13 Q. And when you shut your eyes to say that prayer, what  
14 happened?

15 A. We shut our eyes, started praying, a loud sound went off.  
16 From working on the elevator, I know that we was having  
17 construction going on at the church, so at first I assumed  
18 something went wrong with the electricity. The room got dark  
19 for a second, and all of a sudden it lit up, and that's when I  
20 noticed the defendant with the gun. And I screamed, he has a  
21 gun. By then he had already shot Reverend Pinckney.

22 Q. And what did the people around you, what did y'all do when  
23 you saw that the defendant had brought a gun with him to Bible  
24 study?

25 A. Right before Depayne -- when I thought the electricity

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1     blew or something, because the -- it sounded like a  
2     transformer. I said, everybody get under the table. Then  
3     when the room lit back up, that's when we were already under  
4     the table, most of us who could have, and that's when he  
5     started shooting up the room.

6     Q. And were you able to tell, from what you could hear, where  
7     Reverend Simmons tried to get?

8     A. Reverend Simmons stood up. Reverend Pinckney was the  
9     first one got shot. Reverend Simmons stood up and said, let  
10    me check on my pastor, I need to check on my pastor, just let  
11    me check on my pastor. Next thing I know, bullets start  
12    flying, Reverend Pinckney went down -- I mean Reverend  
13    Simmons. Reverend Simmons got shot up. He was trying to -- I  
14    don't know what he was trying to do, but I heard him say, I  
15    need to check on my pastor.

16    Q. And did you continue to hear shots after shots?

17    A. As I lay under the table, it was so many shots, it was so  
18    many shots. I started looking around trying to see if  
19    something I could do. I'm not familiar with guns, so I did  
20    not know that he had to reload. It sounded like almost like a  
21    machine gun it was just going off in the room.

22    Q. You could hear the defendant shooting; what could you feel  
23    on your legs and arms?

24    A. As I heard the defendant shooting all around the room, I  
25    grabbed my grandbaby, and she was saying, Granny, I'm so

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1     scared, Granny, I'm so scared. And I said, just be quiet.  
2     Just be quiet. And she said, I'm so scared. So I had to use  
3     a word that would relate to her, I said, just play dead. I  
4     said, play dead. And so I muzzled -- I muzzled her face to my  
5     body. I muzzled her face to my body so tight that I thought  
6     I suffocated her, because I didn't want her to make a sound.

7             And my son was on one side of me, my Aunt Susie was on the  
8     other side of me. And I could feel the warm blood flowing on  
9     each side of me. So what I did, I knew he was coming in my  
10    area, so I dragged my feet into my son and my aunt blood so  
11    that he would think that he shot me.

12            Then me and my son was communicating under the table, so  
13    he know that I was still alive. So when he came in the back  
14    part of the room and he talked to Miss Polly, my son know I  
15    was still alive and my grandbaby was still alive. So when he  
16    put the gun at Miss Polly, toward Miss Polly, and asked her,  
17    have I shot you yet, she said no. He say, I haven't shot you  
18    yet, right? She said no. He said, well, I'm not, because I  
19    want you to tell the story.

20            But in between him talking, my son rised up to get the  
21    attention of Miss Polly, even though he had already got shot,  
22    because he said, Mama, I'm shot. But he was still alive. He  
23    was still alive. He stood up and say, why are you doing this?  
24    Why are you doing this? And the defendant, over there with  
25    his head hang down, refusing to look at me right now, told my

## FELICIA SANDERS - DIRECT EXAMINATION

1 son, I have to do this. I have to do this because you raping  
2 our womens and y'all taking over the world. My son said, you  
3 don't have to do this. You don't have to do this. We mean  
4 you no harm. We don't mean you no harm. And that's when he  
5 put about five bullets in my son.

6 And the whole time I'm laying there, I felt the sting up  
7 and down my leg. Nothing but sting. I couldn't move. I was  
8 just waiting on my turn. Even if I got shot, I didn't want my  
9 granddaughter to be shot. I was just waiting on my turn. It  
10 was a lot of shots. Seventy-seven shots in that room, from  
11 someone who we thought was there before the Lord, but in  
12 return, he just sat there the whole time evil. Evil. Evil as  
13 can be.

14 Q. Miss Felicia, are you able to tell when the defendant left  
15 the church? Were you able to tell from the chime on the door  
16 when the defendant left the church?

17 A. (Witness nodded affirmatively.)

18 Q. Yes? As the defendant left the church, what was your son  
19 trying to do?

20 A. As the defendant was leaving, had my son started screaming  
21 for Aunt Susie. Aunt Susie, Aunt Susie. I said, Tywanza, lay  
22 down, lay down. But Miss Polly had found the phone and she  
23 had already called the police. So I could hear the sirens  
24 coming. I said, lay down, they coming, I said, Tywanza,  
25 please lay down. He said, I got to get to Aunt Susie, I got

## FELICIA SANDERS - DIRECT EXAMINATION

1 to get to Aunt Susie. And he start moving across the room.  
2 Moving across the room. I can't get him to stay still, he  
3 just -- he knew that we were in the same area, he was -- I  
4 guess he was praying that Aunt Susie still been alive.

5 And on his way going toward Aunt Susie he said, I need  
6 some water. I need some water. I can't breathe. And I start  
7 asking Miss Polly, I said, please help my son. I said, please  
8 help my son. Because Miss Polly is a nurse. She grabbed the  
9 white tablecloth off the table and she was trying to help him.  
10 When he reach Aunt Susie, he grabbed a handful of Aunt Susie  
11 hair, and we watched him take his last breath. I watched my  
12 son come in this world and I watched my son leave this world.

13 MR. RICHARDSON: Can we take a break, Your Honor?

14 THE COURT: A brief recess. Miss Lena, could you  
15 lead the jury out and we'll take a recess.

16 (Jury excused.)

17 THE COURT: We'll be in recess for ten minutes.

18 (A recess was held at this time.)

19 (Jury not present.)

20 THE COURT: Please bring in the jury.

21 MR. BRUCK: Absolutely no disrespect to Miss Sanders,  
22 and our hearts are breaking for her, but I have a job to do.  
23 I would like to object to a couple things and put this on the  
24 record, if I may.

25 THE COURT: Okay.

## FELICIA SANDERS - DIRECT EXAMINATION

1 MR. BRUCK: We object to the witness saying that he  
2 just sat there, pure evil. I think the words are, for  
3 someone -- for someone who we thought was there before the  
4 Lord, but in return he just sat there the whole time evil.  
5 Evil. Evil as can be.

6 THE COURT: I overrule that objection. That's her  
7 observation. What's the next one?

8 MR. RICHARDSON: I'd also like to add that's not a  
9 timely objection. If he has an objection, he ought to make it  
10 when the testimony is there and at a time when the judge can  
11 address that issue at an appropriate time, not after the fact  
12 out of the presence of the jury.

13 THE COURT: I completely agree with that. What's the  
14 next one, Mr. Bruck?

15 MR. BRUCK: If I may respond to that for the record?

16 THE COURT: No. What's your next one?

17 MR. BRUCK: The only other is the witness' comment on  
18 Mr. Roof's demeanor, and that he was refusing to look at her  
19 right now in the courtroom.

20 THE COURT: She was -- that was the same behavior he  
21 had on the night in question, that was a proper statement, and  
22 there was nothing improper about that and I overrule that.

23 Mr. Bruck, if you have an objection, they must be timely  
24 or they are waived.

25 Anything further?

## FELICIA SANDERS - DIRECT EXAMINATION

1 MR. BRUCK: If I may, may the record reflect that the  
2 witness was crying and understandably very upset during parts  
3 of her testimony, and it seemed inappropriate to respond.

4 THE COURT: Let me explain reality here. Crime  
5 victims frequently weep from the witness stand. I see it all  
6 of the time. And I think it's just one of the realities of  
7 being a victim. So I didn't think it was improper. If I  
8 thought it was improper, I would have dealt with it. I did  
9 not think it was improper. It's just the natural result of  
10 telling a very tragic story.

11 MR. BRUCK: Very well. And I would like to apologize  
12 to these witnesses for having to make these objections.

13 THE COURT: You're doing your job, Mr. Bruck, you  
14 just keep doing your job.

15 Finished with that, bring in the jury.

16 (Jury present.)

17 THE COURT: Mr. Richardson, continue direct  
18 examination.

19 MR. RICHARDSON: Thank you, Your Honor.

20 BY MR. RICHARDSON:

21 Q. When we broke, I apologize, I couldn't get one question  
22 out that I know you want to tell us. Before your son Tywanza  
23 passed away, what was he able to tell you?

24 A. As I watched my son lying across the room, tell the  
25 ambulance that they're here, I said, I love you, Tywanza. I



## FELICIA SANDERS - DIRECT EXAMINATION

1 love you, Tywanza. He said, I love you too, Mama. And he  
2 kept right on hollering for Aunt Susie. And I watched him  
3 die. I watched him take his last breath. Me and Miss Polly  
4 together watched him take his last breath.

5 MR. RICHARDSON: I appreciate that. I know how hard  
6 this has been for you, but I appreciate your effort. If you  
7 would answer any questions the defense might have, I sure  
8 would appreciate it.

9 THE COURT: Cross-examination.

10 MR. BRUCK: Thank you, Your Honor.

11 CROSS-EXAMINATION

12 BY MR. BRUCK:

13 Q. Good afternoon, Miss Sanders. I only have one question to  
14 ask you; I'll be done.

15 Do you remember the man who did this saying something  
16 about that he was only 21, and then talking about what he was  
17 going to do afterwards?

18 A. Yes.

19 Q. Could you tell us what he said?

20 A. He say he was going to kill himself. And I was counting  
21 on that. He's evil. There's no place on earth for him except  
22 the pit of hell.

23 Q. He said that he was 21? And then that he was going to  
24 kill himself when he was finished?

25 A. Send himself back to the pit of hell, I say.

## FELICIA SANDERS - CROSS-EXAMINATION

1 Q. Did -- he didn't say that though. About hell. He just  
2 said he was going to kill himself?

3 A. That's where he would go, to hell.

4 MR. BRUCK: Yes, ma'am. I'm so sorry. Thank you.

5 THE COURT: Please step down, thank you.

6 Government, call your next witness.

7 MR. WILLIAMS: Thank you, Your Honor, the Government  
8 calls Justin Kniess.

9 THE CLERK: State your full name for the record,  
10 please.

11 A. Justin Robert Kniess.

12 JUSTIN KNIESS, a witness called by the Government, first  
13 having been duly sworn, testified as follows:

14 DIRECT EXAMINATION

15 BY MR. WILLIAMS:

16 Q. Good afternoon.

17 A. Good afternoon.

18 Q. Can you spell your last name?

19 A. K-N-I-E-S-S.

20 Q. You pronounce it Kniess?

21 A. That's correct.

22 Q. Tell the jury where you work.

23 A. I work in the central business district, which is the King  
24 Street/Market area of Charleston.

25 Q. What do you do there?

## JUSTIN KNISS - DIRECT EXAMINATION

1 A. I'm a supervisor.

2 Q. For a department?

3 A. For the department of City of Charleston police  
4 department.

5 Q. So say that again. You work for the city police  
6 department, and you said you're a sergeant?

7 A. That's correct.

8 Q. And is there a specific area you are a sergeant over?

9 A. Yeah, central business district, which is the King Street/  
10 Market area.

11 Q. I want to ask you a little bit about your background and  
12 how you get to work in law enforcement. Did you go to college  
13 in order to get that job?

14 A. I went to college at Clemson University, I graduated with  
15 a degree in psychology and a minor in microbiology. That's  
16 about my experience in education with --

17 Q. How did you end up going to law enforcement? Were you  
18 studying -- how did you end up in law enforcement if you  
19 studied psychology?

20 A. Well, honestly, after I graduated I had student loans that  
21 were due, and the first job I got was with the City of  
22 Charleston police department.

23 Q. You said you went to Clemson University?

24 A. That's correct.

25 Q. What year did you start with the city police department?

## JUSTIN KNISS - DIRECT EXAMINATION

1 A. 2005.

2 Q. What was your first job?

3 A. I was a patrol officer in team four, which is West Ashley  
4 area.

5 Q. And if you could explain to the jury, how is the City of  
6 Charleston broken up into teams, at least for law enforcement  
7 purposes?

8 A. City of Charleston breaks down the different patrol  
9 divisions based upon obviously different geographic areas.  
10 Team one, which is the peninsula, north of Calhoun Street;  
11 team two is south of Calhoun Street towards the Battery; team  
12 three is James and Johns Island; team four is West Ashley and  
13 five is Daniel Island. And then different special operation  
14 divisions that go on beyond that, in which one of the special  
15 operations divisions is team nine, which I work in, which  
16 again is a central business district, which we deal with  
17 mainly the hospitality areas in Charleston.

18 Q. I'm going to ask you to pull that microphone a little  
19 closer to you; I'm having a hard time picking you up.

20 So when you came out of college and started with the city,  
21 what type of job did you have and what work did you do?

22 A. I was strictly patrol.

23 Q. What's that mean?

24 A. Patrol, answer calls for service.

25 Q. And how long did you work patrol?

## JUSTIN KNISS - DIRECT EXAMINATION

1 A. I did two years before I went into what they considered  
2 was a more directed patrol area, which was still in the same  
3 geographic location of team four. And I did that also  
4 sporadically for about a year, year and a half.

5 Q. Was there a special sort of title for that position?

6 A. They called it the power shift, just based upon the hours  
7 that you worked, which was from 17:00 hours to 02.

8 Q. That's five --

9 A. 5:00 o'clock till 2:00 a.m., yes.

10 Q. So after you worked on the power squad, did you end up  
11 getting promoted or do any other kind of work?

12 A. After that I transferred to K-9, and I was a K-9 handler  
13 from 2009 to 2 -- middle of 2013.

14 Q. What happened then?

15 A. I retired my dog and I went back to team four and  
16 continued in the patrol division as a patrol officer.

17 Q. How long did you do that?

18 A. When I went back I was a private first class, or senior  
19 police officer, which is what we call them. The sergeant who  
20 was in charge of the squad that I was in was going out on  
21 medical, which I ended up taking over the supervisory position  
22 then as a junior officer. And I did that for almost a year,  
23 and then I got promoted to master patrolman, which is a  
24 corporal, which is a -- the next step up in supervision, which  
25 then I transferred down to the central business district.

## JUSTIN KNISS - DIRECT EXAMINATION

1 Q. Did you get promoted any time after that as well?

2 A. Yes, six months later I got promoted to sergeant in the  
3 same unit.

4 Q. You mentioned earlier the central business district. Can  
5 you explain that a little bit more clearly for people that  
6 maybe aren't from Charleston?

7 A. Central business district encompasses the bars and the  
8 hospitality regions of Charleston. That's where you have your  
9 King Street, you have all your restaurants, bars, your night  
10 life. And you also have the market and a little bit of  
11 Calhoun, there's a few establishments on there that we also  
12 deal with.

13 Q. As far as the location for where you are -- where you work  
14 out of, where is the headquarters or the team office?

15 A. It's located on George Street, and it's shared with the  
16 team two office.

17 Q. That's in the Gilliard Center?

18 A. That's correct.

19 Q. So let me ask you a little bit about those years you are  
20 working, just give the jury a brief description of the types  
21 of cases you would work, sort of in the time from when you  
22 started to when you became a sergeant.

23 A. When I started, I was team four as a patrolman. I would  
24 handle just about anything. Any type of call for service,  
25 from anything from a car break-in all the way up to a murder

## JUSTIN KNISS - DIRECT EXAMINATION

1 scene, you would have the whole gamut of different types of  
2 calls.

3 Power shift, which I got put into about a year and a half,  
4 two years after I started, that was dealing with just more of  
5 the -- what they would consider more violent type crimes where  
6 we dealt with a lot of the areas where you would see robberies  
7 in progress type calls.

8 Q. Did you handle any type of violent crime, specifically  
9 murders or death cases?

10 A. Yes.

11 Q. Any cases involving multiple deaths?

12 A. There was a couple that had mul -- more than one victim.

13 Q. I want to ask you a little bit about the difference in  
14 your job descriptions. What's the difference between sort of  
15 a sergeant and another police officer, in terms of your  
16 responsibilities?

17 A. From a patrolman to a sergeant level, supervision, you  
18 have the officer who has a specific task which he goes there  
19 to handle it to his ability. The supervisor would then  
20 oversee that to make sure that's getting done and organized,  
21 and bring everything together in a -- the whole operation.

22 Q. So back in June of last year, 2015, who were you  
23 supervising or who were you responsible for as a sergeant?

24 A. I would have been supervising the officers in my unit,  
25 team nine.

## JUSTIN KNISS - DIRECT EXAMINATION

1 Q. And how many officers would have been on that team?

2 A. At that time, probably five or six. On that given day.

3 Q. I want to ask you about some of your other training;  
4 obviously I'll ask you this first. You responded to Mother  
5 Emanuel on June 17, is that correct?

6 A. I did.

7 Q. Had you previously had any kind of sort of training in  
8 either crisis response, mass shootings, crisis management type  
9 things?

10 A. I've had basic training in how to handle a -- how to  
11 respond to a scene, to a crime scene, and actually deal with  
12 the crime scene, but as multiple victims and the crisis such  
13 as this, no.

14 Q. Was that something you'd ever had to deal with case-wise  
15 prior to June 17th of last year?

16 A. No.

17 Q. I want to ask you about the time leading up to that event  
18 or that crime. Who was on shift with you in the early evening  
19 of June 17?

20 A. I had Officer Delaney, Mr. Gorgeous, Stewart, Sergeant  
21 John Lites also is working in the team two capacity alongside  
22 of me. There was several other officers, I -- I mean as far  
23 as the total response, but those would have been the closest.

24 Q. And if you can, explain sort of how team two and your team  
25 sort of overlap for purposes of the location of Mother



## JUSTIN KNISS - DIRECT EXAMINATION

1 Emanuel.

2 A. Team two's heart is the market area and lower half of King  
3 Street, so we overlap there.

4 Q. Go ahead.

5 A. It is the overlap where you have the market and lower King  
6 Street, we both shared those areas.

7 Q. In terms of who was working that area that night, who  
8 would have been responsible for the area where Mother Emanuel  
9 was located, specifically that north side of Calhoun Street?

10 A. That would have been team two.

11 Q. Do you recall what occurred that night?

12 A. A shooting at the church.

13 Q. How familiar are you with sort of Mother Emanuel itself  
14 and the area surrounding it?

15 A. That was the first time I've ever been to the church was  
16 that evening.

17 Q. And how close is it to the headquarters where -- I should  
18 say office where y'all work out of?

19 A. It's about a block south.

20 Q. Can you, if possible, sort of describe what that area is  
21 like, maybe compared to the surrounding areas. Is it quiet,  
22 loud, touristy, not touristy?

23 A. You're one street off of Meeting Street, basically  
24 sandwiched between East Bay Street. That side of the street  
25 you just have a couple of churches, so typically is not a lot

## JUSTIN KNISS - DIRECT EXAMINATION

1 of call volume that you would hear, so it's quiet.

2 Q. Tell the jury what happened that night regarding the  
3 shooting and your involvement.

4 A. That night I was supervising team nine, and I was sitting  
5 in a parking lot off of Washington Street near Laurens, and I  
6 was approving reports, which we have a computer system which  
7 you have to electronically pull up reports, it's almost like  
8 an e-mail type system where you open them up and read them and  
9 you have to approve them. Well, you have to switch between  
10 screens to where you see a call screen where the calls are  
11 coming up, then you have another screen where you approve  
12 this. So I was on this one screen approving the reports, and  
13 I flipped down and I started to see the call come in for  
14 Mother Emanuel, which it was an active shooting situation  
15 which was coming in. And that's when the alert tones came  
16 over the radio, which is the online version of a call.

17 Multiple units checked in service, and I being a couple --  
18 about three blocks away, you know, headed to the church, and I  
19 was arriving on scene with several other officers.

20 As I arrived on scene, saw multiple officers going to one  
21 side of the church, and I went right, which I found an opening  
22 in a fence line right about two buildings over on the right of  
23 the church, if you were facing it off of Calhoun. And I  
24 proceeded along the -- if you're facing the church on the  
25 right side, with several other officers.

## JUSTIN KNISS - DIRECT EXAMINATION

1 Q. I hand you what's been marked as Government's proposed  
2 Exhibit 20. Do you recognize that?

3 A. I do.

4 Q. Have you reviewed that before?

5 A. I've seen it before, yes.

6 Q. Does it fairly and accurately represent the area you were  
7 just describing?

8 A. Yes.

9 MR. WILLIAMS: Show this to defense counsel. I'll  
10 move to admit Government's Exhibit 20.

11 MS. STEVENS: No objection for illustrative purposes.

12 THE COURT: Are you offering it -- you're offering it  
13 for illustrative purposes?

14 MR. WILLIAMS: Offering it as a representation of how  
15 the area and --

16 THE COURT: Is there an objection?

17 MS. STEVENS: No, no objection.

18 THE COURT: Government 20 is admitted without  
19 objection.

20 (Government Exhibit 20 received.)

21 BY MR. WILLIAMS:

22 Q. I'm going to have that called up on the screen in front of  
23 you, Sergeant.

24 So if you could explain, you said that you went to one  
25 side of the building; can you explain that based on this

## JUSTIN KNISS - DIRECT EXAMINATION

1 exhibit? And if you hit the screen with your finger it will  
2 put a mark on there, if that helps.

3 A. All right. Where I arrived, my patrol car was positioned  
4 right about in this area. I don't know if that came up or  
5 not.

6 Q. Why don't you just explain it relative to the red  
7 buildings and the main building.

8 A. If you're on Calhoun Street, which is the road right in  
9 front of this dark building, which would be Mother Emanuel, if  
10 you're facing that, looking at the front, if you see these two  
11 smaller red in color buildings, when I responded, there's a  
12 fence line between Mother Emanuel and these two houses. So  
13 they were closed, I could not make entry in there. So I had  
14 to go around on the right of this parking lot on the far right  
15 side of those two buildings.

16 Q. So you went around the two red buildings?

17 A. That is correct.

18 Q. And you said other people had responded. Could you tell  
19 who else was in any other locations, either by radio calls or  
20 by visual?

21 A. Based upon the radio transmission, you had Officer Delaney  
22 and Officer Henderson who responded and they were the first  
23 ones on scene. And based upon where they were talking about  
24 on the radio, you could tell they had made entry on the left  
25 side, which they went directly to the side of the building.

## JUSTIN KNISS - DIRECT EXAMINATION

1 Q. Who was in charge at that point in time?

2 A. Between the radio transmissions, would be myself and  
3 Sergeant John Lites.

4 Q. Do you know where John Lites or Sergeant Lites was at the  
5 time?

6 A. Other than radio, I had no idea where he was.

7 Q. So let me ask you, you said it had gone out as an active  
8 shooter call?

9 A. Yes.

10 Q. What does that mean in terms of a response?

11 A. That means you're going code, that you're getting there as  
12 fast as possible as you can get there.

13 Q. And what's it mean for other officers who would have  
14 responded, I think you said Henderson and some others were --

15 A. The same. The same. They're getting there as fast as  
16 they can and make an entry.

17 Q. So as you went around the side, were you able to tell what  
18 other people were doing?

19 A. Yes, I could hear that they had -- Officer Henderson and  
20 Delaney had made entry into the church.

21 Q. And what did you do as a supervisor at that point?

22 A. Based upon what they were putting over the radio, they  
23 said that the suspect had fled out the doors. I was trying  
24 to, before I had made it to the side of the church, I was  
25 trying to set up a perimeter that we could get K-9 in to

## JUSTIN KNISS - DIRECT EXAMINATION

1 track, based upon what this said.

2 Q. Explain why you set up a perimeter to get the K-9 in.

3 A. When you call K-9 in, the dog tracks the hottest scent in  
4 the area from where the suspect left, it follows it to its  
5 finality. But if you don't have a perimeter set up, in  
6 theory, a suspect will continue to walk on, and without being  
7 encapsulated by a perimeter.

8 Q. Did you know at that time whether the person was on foot  
9 or in a vehicle?

10 A. Other than fled out the door, that's all the information  
11 we had at that time.

12 Q. So the perimeter was an attempt to secure that area,  
13 hoping he would be in that perimeter?

14 A. That it is correct.

15 Q. What did you do once you started doing -- Did you instruct  
16 people to set that perimeter up?

17 A. I mean, based upon the radio transmission, I said let's  
18 hold. What I meant by hold was what area, who was coming in,  
19 to hold where they are to set up for a K-9 to come in.

20 Q. And what happened then?

21 A. I continued back around the side of the church. And I was  
22 relaying information about who had made entry, and I was  
23 making my way to the door to go and see what we physically had  
24 on the ground.

25 Q. So did you get around to the side of the building where

## JUSTIN KNISS - DIRECT EXAMINATION

1 the parking lot is, which would be in the top of Exhibit 20?

2 A. Yes.

3 Q. What did you find when you got to the other side of the  
4 building? The church.

5 A. I -- outside I saw Officer Stewart, who was at the door,  
6 and --

7 Q. What did you do at that point in time?

8 A. I went inside.

9 Q. Were there any other officers or other officers inside at  
10 that point in time?

11 A. Officer Delaney and Henderson.

12 Q. I want to ask you about the priorities or what needs to be  
13 done in this situation as a sergeant. What is it that you  
14 have to get established, if anything, when you sort of arrive  
15 on that scene?

16 A. You have to secure a location.

17 Q. Explain what that means.

18 A. That means if the -- you have to make sure there's no  
19 threat still on scene.

20 Q. How does that get done?

21 A. I have to go room to room to make sure they're clear, you  
22 have to make sure you don't have any threats within that room.

23 Q. And explain, if you can, how that relates to whether  
24 people are injured, and how that may or may not be a priority?

25 A. The -- in order to get emergency personnel in, they will

## JUSTIN KNISS - DIRECT EXAMINATION

1 not come into a scene that's not secure. If there's still an  
2 active shooter or person inside the building, that has to be  
3 established before you relate to them, before they will come  
4 into a scene.

5 Q. So you'd mentioned securing the perimeter. You also  
6 mentioned sort of clearing the building. Can you explain to  
7 the jury, as a supervisor of -- the supervisor on scene, what  
8 the priorities were from a law enforcement perspective, when  
9 you got in that door.

10 A. Secure, and then move on to -- we had lot of individuals  
11 inside the church that we had had to evacuate to get them out  
12 of harm's way. And at that time, once that's secure, we can  
13 bring emergency personnel in to get the victims out.

14 Q. If you can, tell the jury what you saw when you went  
15 through those doors, what was presented to you as a police  
16 officer, and more importantly as a sergeant that was  
17 supervising at this time.

18 A. I saw we had multiple victims on the ground, there was  
19 multiple shell casings, I remember seeing a child running,  
20 screaming on scene. And it was just chaos when I arrived on  
21 scene.

22 Q. How are you able to deal with that chaos, or what did you  
23 do to sort of get through it?

24 A. I started breaking down what I needed to get done in order  
25 to help these people. And the first thing to do was to secure



## JUSTIN KNISS - DIRECT EXAMINATION

1 that room, get the alive witnesses out and get emergency  
2 personnel in to help these victims.

3 Q. I'm going to show you Government's proposed Exhibit 21.  
4 Take a look at it and tell me if you recognize it.

5 A. I do.

6 Q. Is that a -- you've seen that before?

7 A. Yes.

8 Q. Does that accurately reflect the interior of that  
9 building?

10 MS. STEVENS: No objection to Government's 21.

11 THE COURT: Government 21 is admitted without  
12 objection.

13 (Government Exhibit 21 received.)

14 BY MR. WILLIAMS:

15 Q. I'm going to put up 21. Can you briefly explain to the  
16 jury what the make-up was, or how it appeared inside relative  
17 to furniture and rooms when you entered?

18 A. I mean, based upon representation, I mean, you had a bunch  
19 of tables in the center, and that's where the -- when I  
20 entered you would -- you had most of the victims were in that  
21 center area.

22 Q. Were you able to tell, I mean, you mentioned earlier there  
23 were victims. Could you see how many victims when you went  
24 in?

25 A. It was hard to tell how many from basically walking in

## JUSTIN KNISS - DIRECT EXAMINATION

1 there.

2 Q. So once you went in, which direction did you go?

3 A. I believe the first direction I headed was straight down  
4 the center towards the back of the church.

5 Q. Had Sergeant Lites shown up at that point in time?

6 A. I believe we entered pretty much close to the same time.

7 Q. And if you can, was there some division of responsibility  
8 between two separate supervisors at that point?

9 A. Basically we were backing off each other's play for what  
10 he took care of and then I entered. So he was doing most of  
11 the interior work while I did most of the setting up the  
12 continued response and trying to finish that.

13 Q. When you say interior work, what would that be?

14 A. I'm sorry, such as he was speaking with one of the victims  
15 and dealing with what he had right in front of him. I could  
16 hear him putting out the description over the radio, so he was  
17 getting further information to help with that response that  
18 was coming in there to be on the look out, because I believe  
19 he did a description across the radio.

20 Q. So he was speaking to the survivors inside?

21 A. Yes.

22 Q. Did you clear the area?

23 A. Yes, I took several officers with me and we went room by  
24 room and checked.

25 Q. I want to ask you about body cameras. Can you tell the

## JUSTIN KNISS - DIRECT EXAMINATION

1 jury what a body camera is?

2 A. Body camera is a device that we wear, the City of  
3 Charleston has moved to that, every officer in the department  
4 now carries a body camera. It's a recording device that fits  
5 on uniform. The type that we used that day had a hood, and  
6 when you flip the hood down it automatically started  
7 recording. There was a three- to five-second delay, but it  
8 would record from once you flipped the hood down.

9 Q. In that time back in June of last year, was every officer  
10 outfitted with a camera?

11 A. Not at that time. We were just rolling that out. I know  
12 we were part of the pilot program, team nine, team five, and I  
13 believe team seven, which was the traffic division, was using  
14 the cameras at that time.

15 Q. Did you have one that day?

16 A. I did.

17 Q. Do you recall if you flipped up the hood in order to  
18 activate it?

19 A. I flipped it down and it was activated.

20 Q. You've had a chance to review that video?

21 A. I have.

22 Q. And I think it is as recently as today.

23 A. That's correct.

24 Q. I'm going to show you Government's proposed 22. Are you  
25 familiar with that?

## JUSTIN KNISS - DIRECT EXAMINATION

1 A. Yes, sir.

2 Q. Did you initial that disk?

3 A. I did.

4 Q. Does it contain the footage of your body camera?

5 A. It did.

6 Q. Does that footage fairly and accurately represent what you  
7 saw on June 17th of 2015?

8 A. Yes.

9 MR. WILLIAMS: Your Honor, move to admit Government  
10 22.

11 MS. STEVENS: Your Honor, with the exception of our  
12 prior objection, which was overruled, we have no new  
13 objection.

14 THE COURT: Very good. Government Exhibit 22 is  
15 admitted.

16 (Government Exhibit 22 received.)

17 BY MR. WILLIAMS:

18 Q. Before I play that, Sergeant Kniss, can you just give the  
19 jury a general idea of where that camera is located and what  
20 it captures relative to your actions?

21 A. It's located -- I had it mounted right here about the  
22 middle of my chest, so you have a view from that angle. And  
23 also my shoulder mike is located right next to it. So all the  
24 transmission you're going to hear on the video are going to be  
25 relatively very close.

## JUSTIN KNISS - DIRECT EXAMINATION

1 Q. So it picks up radio transmissions as well as whatever  
2 you're saying or hearing?

3 A. Yes.

4 MR. WILLIAMS: With the Court's permission, I'm going  
5 to publish Government's Exhibit 22.

6 THE COURT: You may.

7 (Video was played.)

8 BY MR. RICHARDSON:

9 Q. I'm going to pause it there. I'm going to pause it there.  
10 So that was -- you said you had gone around the side of the  
11 building?

12 A. That is correct.

13 Q. And this was entrance into the side door into the parking  
14 lot?

15 A. That is the side door to the parking lot.

16 Q. Okay. I'm going to start up again.

17 (Video was played.)

18 Q. I'm going to back up a second; I think it's fast  
19 forwarded.

20 (Video was played.)

21 MR. WILLIAMS: Your Honor, I think we're having some  
22 difficulty with the video and the timing. I'm going to switch  
23 over to a different copy, I think this is not -- not picking  
24 up the audio.

25 THE COURT: Okay.

## JUSTIN KNISS - DIRECT EXAMINATION

1 (Video played.)

2 BY MR. RICHARDSON:

3 Q. I'm going to ask you at this point, Sergeant Kniss, the  
4 tail end of that video showed several people sort of coming  
5 around the corner and going into the building. Who are those  
6 individuals?

7 A. The emergency medical services.

8 Q. So you talked earlier about clearing the scene; were you  
9 able to do that in this case?

10 A. As well enough as what we needed to do to secure that to  
11 get them in there.

12 Q. And at that point in the video were they then making  
13 entry?

14 A. Yes.

15 Q. Who are the first responders? When I say first  
16 responders, medical people that went in.

17 A. It appeared to be EMS, and then the one on the video I was  
18 talking to is Beyer, Thomas.

19 Q. Is that normally the people that come in for sort of  
20 medical --

21 A. Yes.

22 Q. You talked also about sort of these three things, one was  
23 clearing, setting up a perimeter, clearing the scene, you were  
24 also heard on there talking about getting victims somewhere;  
25 can you explain that to the jury?

## JUSTIN KNISS - DIRECT EXAMINATION

1 A. What I was trying to do is get the live witnesses that we  
2 had on scene to a secure location, and that's where I was  
3 talking about the hotel, which was across the street, securing  
4 that lobby so we could put them there.

5 Q. And when you say securing it, what do you mean by that?

6 A. Clearing it so we don't get anyone else that may not have  
7 any business in there, get them out of there, because secure  
8 location that we can bring in support services for the  
9 witnesses.

10 Q. You had said that you had never dealt with a case that  
11 involved this many casualties or this many victims. What were  
12 the unique challenges to you as a supervisor of this  
13 situation?

14 A. The multiple victims that we had on scene and also the  
15 response that it invoked. We had multiple agencies arriving  
16 on scene asking if we needed help and trying to coordinate  
17 that. That was one of the major challenges.

18 Q. Towards the tail end of that video I believe you were  
19 talking to another law enforcement officer; he was asking you  
20 if you needed anything?

21 A. Yeah, he asked me where -- that was one of the flex units  
22 for the team one, which is the upper peninsula patrol team, he  
23 was asking me where do I need his guys.

24 Q. And you had said that you had you and Sergeant Lites on  
25 scene; was it ever handed over to a more senior officer or

## JUSTIN KNISS - DIRECT EXAMINATION

1 supervisor?

2 A. I believe later in the video we'll get to where I give a  
3 briefing to a lieutenant, what has been done to that point.

4 MR. WILLIAMS: I'm going to pick up then.

5 (Video was played.)

6 BY MR. RICHARDSON:

7 Q. Did that catch you talking to supervisors about the case?

8 A. Yes, in the original one. The individual's telling me  
9 what he needed, that was the lieutenant.

10 Q. In this circumstance would you have then handed off  
11 supervision of the case to a more senior officer?

12 A. Yes.

13 Q. And on this video looks like you had talked to him and  
14 then reported, or you were then going around the perimeter?

15 A. Yes.

16 Q. Once you sort of handed off supervision to a more senior  
17 officer, what were your responsibilities?

18 A. I was on the Henrietta Street, which is the street behind  
19 the church, and basically that was blocking off traffic.

20 Q. You had mentioned in there keeping the media away from the  
21 perimeter; is that something you did as well?

22 A. Yeah, I passed that on to another officer to keep that.

23 Q. I want to ask you about clearing the building again. Was  
24 there a point in time where it was recognized that there were  
25 still people still inside the room?



## DAVID STEWART - DIRECT EXAMINATION

1 A. Yes, when you get on to the audio, there was a call that  
2 came in which said they were inside the building in a  
3 different room.

4 Q. Were those people then located?

5 A. I believe so, yes.

6 Q. You didn't have any part of that?

7 A. I wasn't a part of that, no.

8 Q. As far as your transition to, I guess, higher level  
9 supervisors, that occurred during that time frame with the  
10 video?

11 A. About that time, yes.

12 Q. The case would have then been taken over by other  
13 supervisor?

14 A. Yes.

15 MR. WILLIAMS: No further questions. Thank you.

16 THE COURT: Cross-examination.

17 MS. STEVENS: No questions, Your Honor, thank you.

18 THE COURT: Sergeant, you can step down.

19 Government, call your next witness.

20 MR. WILLIAMS: Thank you, Your Honor, Government  
21 calls DS Stewart.

22 THE CLERK: State your full name for the record,  
23 please.

24 A. David Scott Stewart.

25 DAVID STEWART, a witness called by the Government, first

## DAVID STEWART - DIRECT EXAMINATION

1 having been duly sworn, testified as follows.

2 DIRECT EXAMINATION

3 BY MR. WILLIAMS:

4 Q. Tell the jurors where you work.

5 A. I work for the Charleston city police department.

6 Q. What do you do at the police department?

7 A. I'm patrol officer in team two here downtown on the  
8 peninsula.

9 Q. How long have you worked in law enforcement?

10 A. Forever. I took my first oath of office in 1989 at a  
11 sheriff's department in North Carolina.

12 Q. Did you have any experience before that to qualify you to  
13 be a police officer?

14 A. I was in the U.S. Army for six years. Got out, into  
15 Reserve component, was activated for Desert Storm, finished my  
16 obligations with the U.S. military after those were started.

17 Q. You said you started working in North Carolina?

18 A. Yes, sir.

19 Q. When did you move to Charleston?

20 A. In 2007.

21 Q. What type of jobs have you had in law enforcement?

22 A. Worked for two sheriff's departments, and then the City of  
23 Charleston. And I did international police training for five  
24 years in Afghanistan.

25 Q. So when you started with the city, was that in 2007 you

## DAVID STEWART - DIRECT EXAMINATION

1 said?

2 A. No, sir, I started with the city in 2014.

3 Q. What was your first job with the city police department?

4 A. Here in team two parole.

5 Q. And can you explain just briefly what patrol means?

6 A. I'm just a beat captain in downtown, I work in -- the area  
7 I was assigned to is more or less Calhoun Street to Broad  
8 Street east of King Street.

9 Q. I'm going to ask you about June of last year; do you  
10 remember a call that came out to Mother Emanuel on June 17th?

11 A. Yes, sir.

12 Q. Tell the jury where you were patrolling in the time  
13 preceding when the call came out.

14 A. Just before the call went out, I was at the intersection  
15 of Smith and Calhoun at a restaurant. I had just had my  
16 dinner break.

17 Q. Were you with anyone?

18 A. Ed Henderson.

19 Q. Is he another police officer?

20 A. Yes, sir.

21 Q. How far or how close is that area or that location to  
22 Mother Emanuel?

23 A. Five blocks.

24 Q. And tell the jury --

25 A. Across Calhoun Street.

## DAVID STEWART - DIRECT EXAMINATION

1 Q. Tell the jury what happened when the call came in.

2 A. We got the call, shots fired at the church. We left, got  
3 in the car, went straight across Calhoun Street to the church.

4 Q. Had you ever been to that church?

5 A. I've been by it several times.

6 Q. Had you ever been inside?

7 A. No, sir.

8 Q. What was the call that came out?

9 A. The best I can recall, the call was dispatched as shots  
10 fired inside the church. An active shooter situation.

11 Q. What does active shooter mean to you as a police officer;  
12 does that have any specific meaning?

13 A. That indicates that you have a person on site that is  
14 actively shooting people.

15 Q. Does it affect your response?

16 A. Yes, sir.

17 Q. How?

18 A. When -- for an active shooter situation we -- first  
19 officers on scene, as soon as you get someone there that can  
20 watch your back when you go in, you go in to stop the  
21 shooting.

22 Q. How was that different than a nonactive shooter situation?

23 A. If it's just a shots fired, not actively going on, you  
24 would actually stage -- set up perimeter, then have a SWAT  
25 team come in to actually make entry with a little better

## DAVID STEWART - DIRECT EXAMINATION

1 equipment than what we have.

2 Q. So what did you find when you arrived on the scene, or  
3 tell the jury what happened when you got there.

4 A. When we got there, Officer Henderson and I got out of the  
5 car, we met with Officer Delaney. There's a small wrought  
6 iron fence on Calhoun Street at the church. We got over the  
7 fence, got to the first door. Our sergeant, Sergeant Lites,  
8 told us to treat it as an active shooter. We real quick -- I  
9 had a long gun, AR-15, so we made the decision Delaney would  
10 open the door, I would go in, and Officer Henderson would be  
11 right behind me.

12 Q. So it's the three of you?

13 A. Yes.

14 Q. And you said you were the first one through?

15 A. Yes, sir.

16 Q. Explain, if you can, to the jury, what your  
17 responsibilities or what your approach is when you're the  
18 first one through the door in an active shooter situation.

19 A. As the first person into a building, an active shooter  
20 situation, your job is to find the shooter. Period. Nothing  
21 else matters to you. So Delaney opens the door, I go in, we  
22 instantly start scanning the room looking for a person with a  
23 weapon. And my job, like I said, when I go in, is to check  
24 any unlocked doors, any open areas where someone could be, and  
25 find that person with the weapon.

## DAVID STEWART - DIRECT EXAMINATION

1 Q. Understanding those are your responsibilities, what did  
2 you see when you went through the door?

3 A. As I went in, the door came open, I went in to the right,  
4 Officer Henderson went off to my left. As you come through  
5 the doorway, you have a small hallway about this wide that  
6 opens up into a big room. When we got to the end of it where  
7 it intersects with the room, I called that one left, because I  
8 had the long rifle, I had the better range and the room is  
9 large in that direction. So I crossed that, and as I crossed,  
10 I see a magazine for a handgun laying across the room. So I  
11 cross over, Officer Henderson goes behind me, and we start  
12 checking rooms as we go across, he's going this way and I'm  
13 going this way.

14 Q. Did you see any people in the room?

15 A. I could see a person on the other side of the table off  
16 maybe ten feet from me, and then another person over here,  
17 they're crouched down behind a table, so I really can't see  
18 them. I can just see their heads. And I hear Officer  
19 Henderson engaging with the person at the table, and she -- I  
20 can hear her talking to him, but I can't really make out what  
21 she's saying. And then he hollers out and he radios a  
22 description that she gives him, so that we know what we're  
23 looking for.

24 Q. As far as victims in the room, were you able to at least  
25 get some visual of what the circumstances were?

## DAVID STEWART - DIRECT EXAMINATION

1 A. I can see people lying but I really can't see them, I just  
2 see their shapes under the tables. And as I cross from the  
3 room, there is one gentleman as you get back towards the  
4 northern end of the room, lying on floor.

5 Q. Could you tell if anyone was alive?

6 A. Not that I could tell. Initially I -- the gentleman that  
7 was in the floor, I thought was alive, but I really wasn't  
8 paying that close of attention, because I'm looking for  
9 someone with a gun.

10 Q. When you say you think he was, what do you mean?

11 A. When I -- as I am passing him, I don't know if I heard or  
12 just saw, or he seems to be not -- he wasn't really moving,  
13 but I -- seems like either I heard him breathe or I saw his  
14 chest rise, because there was a movement there that made me  
15 think he might still be alive.

16 Q. As far as your clearing of that room, were you able to do  
17 that?

18 A. Yes, we swept the room, like I said, anything that was  
19 unlocked, we opened and looked. Anything that was locked, we  
20 left. All the way through to the hallway that goes out to the  
21 other door into the parking lot where we came in.

22 Q. Go ahead.

23 A. Go ahead.

24 Q. Finish.

25 A. At that point we fell back and I was instructed to go out

## DAVID STEWART - DIRECT EXAMINATION

1 to the parking lot and stand post on the back corner of the  
2 building.

3 Q. Did you then stand post at the exterior of the building?

4 A. Pardon me?

5 Q. Did you do that, stand post at the outside?

6 A. Yes, sir.

7 Q. Did you maintain the outside to make sure only people that  
8 were law enforcement or first responders came in?

9 A. Initially I was sent to the northwest back corner of the  
10 church which overlooks the parking lot. At some point later  
11 Sergeant Kniess came to me there, he was the one that had sent  
12 me out there, he came to me, relieved me of my long gun and  
13 told me to go to the door. When I got back around to the door  
14 where I had went in initially, Sergeant Jacques met me there,  
15 and he posted me on that door to start the crime scene log to  
16 control access to the building.

17 Q. And you did that for the good part of the night?

18 A. Yes, sir.

19 Q. Made sure that nobody that wasn't otherwise qualified came  
20 in or out?

21 A. Yes, sir.

22 Q. Was the scene eventually turned over to another agency?

23 A. Yes, sir, there was apparently a bomb threat and we were  
24 pulled back. At that -- when we came back, I was no longer in  
25 charge of the door of the building.



## DAVID STEWART - DIRECT EXAMINATION

1 Q. So you evacuated for the bomb threat?

2 A. Yes, sir.

3 Q. Were you there when crime scene would have shown up?

4 A. Yes, sir. Because when they pulled us from the building,  
5 after the bomb threat was cleared, I was there at the gate  
6 when crime scene started arriving.

7 Q. As far as medical attention, was medical attention  
8 provided to the people that were inside that you recall?

9 A. There were EMS personnel there, but I -- I had no clue  
10 what they were doing.

11 Q. So you were staying outside.

12 A. I was in there yelling outside.

13 MR. RICHARDSON: No further questions. Thank you.

14 THE COURT: Cross-examination?

15 MS. STEVENS: No questions, Your Honor.

16 THE COURT: Very good. You may step down.

17 A. Thank you, sir.

18 THE COURT: Government, call your next witness.

19 MR. WILLIAMS: Thank you, Your Honor, Government  
20 calls Andrew Delaney.

21 THE CLERK: State your full name for record, please.

22 A. Andrew Delaney.

23 ANDREW DELANEY, a witness called by the Government, first  
24 having been duly sworn, testified as follows:

25 DIRECT EXAMINATION

## ANDREW DELANEY - DIRECT EXAMINATION

1 BY MR. WILLIAMS:

2 Q. Sir, tell the jury what your name is.

3 A. Andrew Delaney.

4 Q. Where do you currently work?

5 A. I work for the Savannah River Site up in Aiken, South  
6 Carolina.

7 Q. What do you do there?

8 A. I'm an emergency management specialist.

9 Q. How long have you been there?

10 A. Just a few months.

11 Q. What did you do before you started working at the Savannah  
12 River Site?

13 A. I was a police officer here in Charleston on the  
14 peninsula.

15 Q. How long were you a police officer at the City of  
16 Charleston?

17 A. I was a police officer for three years.

18 Q. Did you have any training or any education before you  
19 became a police officer in order to get that job?

20 A. Yes, I finished my criminal justice degree at the Citadel  
21 prior to being a police officer.

22 Q. Did you go from college straight to the police department?

23 A. I did, I went straight from college straight into the  
24 police department.

25 Q. What year did you start with the police department?

## ANDREW DELANEY - DIRECT EXAMINATION

1 A. I believe that was 2013.

2 Q. When you started there, what was your job, what were your  
3 responsibilities?

4 A. I started out as a foot patrolman on King Street, the  
5 entertainment district.

6 Q. Did that job change at any point in time?

7 A. No, after training I pretty much stayed on the King Street  
8 the entire time.

9 Q. Do you recall responding to Mother Emanuel or Emanuel AME  
10 Church on June 17 of 2015?

11 A. I do.

12 Q. Was that your same job at the time, working patrol?

13 A. Yes, working foot patrol and driving patrol on King  
14 Street.

15 Q. If you can, explain to the jury where you were when the  
16 call came in for the shooting that happened there.

17 A. Okay. I was in Marion Square, which is right at King and  
18 Calhoun Street, it's a big open area that people go and  
19 sunbathe and play soccer, and I was sitting there in my patrol  
20 car when the call went out.

21 Q. Do you recall what the call was for?

22 A. Possible active shooter.

23 Q. What did you do when the call came through?

24 A. When the call came through, I immediately started my  
25 vehicle and proceeded onto Meeting Street, down about Calhoun

## ANDREW DELANEY - DIRECT EXAMINATION

1 Street to respond to the call.

2 Q. About how long did it take for you to get to the church?

3 A. Really fast. I got there really quick. Couldn't have  
4 been long at all.

5 Q. What did you find when you got there?

6 A. When I went into the church?

7 Q. No, when you first pulled up.

8 A. When I first pulled up, the outside of the church looked  
9 normal, the gate was closed, and other officers were starting  
10 to arrive on scene.

11 Q. Had anybody arrived when you got there or were you the  
12 first one?

13 A. I think my vehicle and maybe one other vehicle were the  
14 first on scene.

15 Q. What happens then when you pull up?

16 A. When I pull up, myself and other officers are getting out  
17 of the cars and starting to hop the fence over onto the church  
18 property.

19 Q. Do you recall who the other officers were?

20 A. It was myself, NPO Henderson, I think PO Henderson, and  
21 Stewart.

22 Q. So you, Henderson and Stewart are the first ones at the  
23 door?

24 A. First ones at the door, yes, sir.

25 Q. If you can, tell the jury what your approach was and the

## ANDREW DELANEY - DIRECT EXAMINATION

1 reasons why.

2 A. Our approach was with weapons drawn, because we were told  
3 over the radio that it was possible active shooter call. So  
4 that's what we came prepared for. And as we approached that  
5 side door, that's kind of what we were expecting.

6 Q. How does an approach involving an active shooter differ  
7 from a normal approach?

8 A. Well, immediately we assumed that lives are in danger,  
9 including our own, when we respond. In a normal call we would  
10 run -- wouldn't run code, we wouldn't come with weapons drawn.  
11 The approach is different, a lot more intense.

12 Q. What happened then when you sort of got to the door?

13 A. When we got to the door we heard over the radio a sergeant  
14 say, if it's an active shooter call, go ahead and make entry.

15 Q. So did y'all do that?

16 A. We did. At that time I myself, Stewart and Henderson made  
17 entry into the church on the side door on the left, if you're  
18 looking at it from Calhoun Street.

19 Q. And where did you go when you made entry into the room?

20 A. I made entry into the room, and I went left along the long  
21 end of the room while NPO Henderson stayed straight kind of in  
22 an L.

23 Q. And when you went into the room, tell the jury sort of  
24 what you were looking for and what you saw.

25 A. Well, we were looking about the active shooter call to see

## ANDREW DELANEY - DIRECT EXAMINATION

1 what we were dealing with was that, and we saw several bodies  
2 on the ground, blood, shells, and NPO Henderson started to  
3 make that notification over the radio that we did have  
4 casualties.

5 Q. When you go in and there's an active shooter situation or,  
6 for that matter, an active shooter situation with victims,  
7 what are your priorities?

8 A. My priorities are the lives of any survivors and then the  
9 police officers' lives responding.

10 Q. Were you able to assess whether there were any survivors  
11 in the room?

12 A. I was. I was able to make a quick assessment of the room.  
13 I saw a black female and a young black girl standing somewhere  
14 in the center of the room over a young man.

15 Q. Were you able to see the young man?

16 A. I was. The young man looked to be a gunshot wound to the  
17 chest area. He was kind of rolling on the ground in pain,  
18 kind of looked up at me and he said, please help me. I wasn't  
19 able to do that at that time because we were clearing the room  
20 because we didn't know if the shooter was still in the room or  
21 not.

22 Q. And is that part of your training or reaction, to clear  
23 the room before you render aid?

24 A. It is. Our training pretty much states that we need to  
25 make sure the shooter's not still in the room, because there's

## ANDREW DELANEY - DIRECT EXAMINATION

1 still survivors in the room, we have to make sure that they  
2 survive. So unfortunately I had to ignore him for a moment.  
3 I told him, I'll come back for you. I had to clear the rest  
4 of the room. By the time I had gotten back to him, he had  
5 succumbed or went unconscious.

6 Q. As far as who were you working with; were you supervised  
7 by anyone at that point?

8 A. While we were in the building initially, no. I think  
9 Sergeant Lites came in just a little bit after we initially  
10 cleared the room.

11 Q. And you mentioned Sergeant Kniess; was he there as well?

12 A. Sergeant Kniess came almost at the same time as Sergeant  
13 Lites, I believe, yes.

14 Q. And did you work with him as well?

15 A. I did.

16 Q. Do you recall assisting any of the victims that were there  
17 after the sergeant showed up?

18 A. After the sergeant showed up, we went back -- I went back  
19 to the young man to see if he was still alive, and he was not.  
20 At that point we got the woman and the young girl, started  
21 moving them out of the room. Because we hadn't at that point  
22 done a full clearing, there was still several doors that we  
23 hadn't gone into, and places that were still kind of dangerous  
24 for us and the survivors.

25 Q. What was the demeanor of the two individuals, the woman

## ANDREW DELANEY - DIRECT EXAMINATION

1 and the young girl that you dealt with?

2 A. I'd say shock, kind of unresponsive, not moving very well,  
3 you know, kind of had to pull them along. I mean --

4 Q. Were you able to take them to a place of safety?

5 A. We were. I wasn't part of that. I helped get them out of  
6 the room itself, and then other officers took over from there  
7 as we continued to clear that room.

8 Q. Once when you cleared the room, what were your sort of  
9 following responsibilities?

10 A. My responsibilities were to clear the rest of that  
11 immediate room and then clear the rest of the church. We  
12 didn't know where the active shooter had gone. And there was  
13 still an entire top portion of the church that we hadn't -- we  
14 hadn't looked yet. So --

15 Q. Did you do that?

16 A. I did, I followed Sergeant Kniess and some other officers  
17 upstairs to clear the entire upstairs portion of the church.

18 Q. Was the rest of your duties sort of clearing areas and  
19 maintaining the perimeter?

20 A. Yes, my duty as a foot patrolman was clearing the church  
21 itself and helping with the perimeter, after we decided that  
22 he was no longer inside the church.

23 MR. RICHARDSON: No further questions, thank you.

24 THE COURT: Cross-examination.

25 MS. STEVENS: No questions, Your Honor, thank you.



## EDWARD HENDERSON - DIRECT EXAMINATION

1 THE COURT: Very good. You may step down. Thank  
2 you.

3 Call your next witness.

4 MR. WILLIAMS: Thank you, Your Honor, Government  
5 calls Ed Henderson.

6 THE CLERK: State your full name for the record.

7 A. Edward Christian Henderson.

8 EDWARD HENDERSON, a witness called by the Government,  
9 first having been duly sworn, testified as follows:

## 10 DIRECT EXAMINATION

11 BY MR. WILLIAMS:

12 Q. Sir, if you could, tell the juniors where you work.

13 A. I currently work for the City of Charleston police  
14 department.

15 Q. What do you do at the police department?

16 A. I'm currently assigned to the team two patrol division,  
17 which is down on the peninsula.

18 Q. How long have you been with the police department?

19 A. In January it will be five years.

20 Q. Have you always been in patrol?

21 A. Yes.

22 Q. Do you have any experience prior to working with the  
23 police department that qualified you to work there?

24 A. Yes, sir.

25 Q. Do you have a college degree?

## EDWARD HENDERSON - DIRECT EXAMINATION

1 A. Yes.

2 Q. Where did you go to school?

3 A. The University of North Carolina at Asheville.

4 Q. And you say you started -- I think you said 2000 --

5 A. 2012.

6 Q. 2012?

7 A. Yes.

8 Q. Had you been a patrol officer in the same area or

9 different parts of --

10 A. I started off, when in training on team one, on the  
11 peninsula north of Calhoun Street. I'm now team two, which is  
12 south of Calhoun Street.

13 Q. I'm going to ask you about June 17th of last year. Do you  
14 recall responding to Mother Emanuel Church?

15 A. Very well, yes.

16 Q. Explain to the jury where you were when that call came  
17 out.

18 A. I was actually with Officer Stewart, who was in here  
19 earlier, he was -- I was training him. And we were actually  
20 eating dinner at Norm's, which is at the intersection of  
21 Calhoun and Smith Street, when the call initially came out.

22 Q. About how far is that from the church?

23 A. I'd say maybe a mile at most. If that.

24 Q. What was it that came out on the call?

25 A. Initially came out as shooting at 110 Calhoun Street. At

## EDWARD HENDERSON - DIRECT EXAMINATION

1 first they said he had shot the pastor, and so at that point  
2 I'm thinking it's just a single-victim incident. However, as  
3 we were responding, Officer Stewart was driving, so I was able  
4 to read the notes on our CAD system as coming up in the  
5 computer, and I could tell it was a little bit more than just  
6 that.

7 Q. So explain that. So he's driving and you're the  
8 passenger?

9 A. Yes, sir.

10 Q. And what's a CAD system?

11 A. We have our -- in our department computers, we have a CAD,  
12 called computer-aided dispatch, we can see actually, as the  
13 call's coming in and the call is populating, it's populating  
14 on our computer and we can see all the notes that are coming  
15 in.

16 Q. And what was it in the notes that were important to your  
17 response?

18 A. He shot everybody, I think everybody is dead. Things  
19 along those lines.

20 Q. Would that have been coming in from the call, or is  
21 that -- do you know where that came from?

22 A. That would have been coming from the call taker who is  
23 entering it in, and they send it to the dispatcher who  
24 ultimately puts it over the air, but we can see it as they're  
25 putting it in.

## EDWARD HENDERSON - DIRECT EXAMINATION

1 Q. What did you find when you arrived at the church?

2 A. We first arrived on scene, myself, Stewart and Officer  
3 Delaney, we went to the entrance closest to Calhoun Street on  
4 the western side of the church. We made entry into the  
5 church, and at which point we walked in and saw the victims on  
6 the ground, to include Tywanza Sanders and Clementa Pinckney  
7 and the others.

8 Q. I'll stop you and go back a little bit.

9 A. Yes, sir.

10 Q. When you got there, was there other officers already on  
11 scene?

12 A. No, we all got there at the same time.

13 Q. That was you, Stewart and Delaney?

14 A. And Delaney, yes.

15 Q. And what was the approach you all agreed on taking then in  
16 the church?

17 A. We all kind of lined up. Stewart, since he was driving,  
18 he was able to grab my patrol rifle out of our car, so he was  
19 going to go first since he had the long gun, and then I was  
20 behind him and Delaney was behind me. We basically just  
21 entered the church that direction.

22 Q. And what was your responsibility, what were you planning  
23 to do when you made entry?

24 A. Initially as police officers our first and foremost  
25 responsibility is to locate the threat. And if the threat is

## EDWARD HENDERSON - DIRECT EXAMINATION

1 still on scene, eliminate that threat, whichever means we deem  
2 necessary. So our initial goal is to get inside the church,  
3 make sure there's no more threat, so that fire and EMS and  
4 other personnel could come into the church and attempt to  
5 render aid, if possible.

6 Q. What did you find then when you went through the door?

7 A. Like I said, there were several victims on the ground when  
8 we first walked in. I remember seeing Mr. Sanders was still  
9 alive and was talking to us when we first entered the church.

10 Q. Explain that, if you can, to the jury.

11 A. When we first went in, basically a large room, and I  
12 remember saying the majority of the victims were in the middle  
13 of the floor, and that's where Mr. Sanders was when we first  
14 walked in, probably about to the distance to where the gallery  
15 starts is how far away we were when we first saw the victims.  
16 And Mr. Sanders was kind of propped himself up on his hands,  
17 and he -- I kind of asked the generalized question, where is  
18 the shooter, where is he? They explained to me that he had  
19 already gone out the back, the north side of the church, which  
20 would be the back of the church.

21 At this point got a description of him, put it out over  
22 the radio as responding officers did to be looking for that  
23 individual. Then we proceeded to --

24 Q. Let me stop you there; I want to back up.

25 A. Sorry.

## EDWARD HENDERSON - DIRECT EXAMINATION

1 Q. Was Mr. Sanders talking to you or other people?

2 A. Mr. Sanders, and then I believe Miss Sanders was talking  
3 to us as well. It was kind of a chaotic scene at that time,  
4 as you can probably imagine, but both were talking to us and  
5 kind of giving us descriptions of him.

6 Q. Was Mr. Sanders on the ground?

7 A. Yes, he was on the ground.

8 Q. Was he able to talk very well?

9 A. From what I can remember, sort of, but I didn't really --  
10 I didn't really talk to him very much or interact with him, I  
11 just kind of remember the initial -- where is the shooter,  
12 where did he go, then I was kind of where that -- for me at  
13 least that's where that stopped.

14 Q. You said you spoke with Mrs. Sanders too, the person that  
15 was also there.

16 A. Yes.

17 Q. Did she give you information as well?

18 A. She gave me a description of the subject, yes.

19 Q. Did you radio that out?

20 A. I did.

21 Q. So once you got the description and the direction, what  
22 did you do?

23 A. Then at that point myself and Delaney and Stewart began to  
24 just check the individual rooms. They were in the room -- the  
25 offshoots of the big room. I did see maybe he was hiding in

## EDWARD HENDERSON - DIRECT EXAMINATION

1 there or trying to set an ambush or something of that nature.

2 Q. Were you able to sort of clear the church?

3 A. Yes.

4 Q. You mentioned there were other victims inside. Did you  
5 deal with any of the other folks that were inside the church?

6 A. None of the actual victims that were suffered from gunshot  
7 wounds. We did at one point, or about ten minutes after we  
8 had been there, we checked the office of the church, which was  
9 where we found Miss Pinckney with her, I believe youngest  
10 daughter there. They were hiding underneath the desk. And  
11 she was the 911 caller. Other than that, no, we do not have  
12 no direct contact with any of the victims.

13 Q. Did you notice another young girl there?

14 A. Yes, I did.

15 Q. What do you recall about her?

16 A. I just remember she was in the middle of the floor,  
17 like -- she was standing, and she was kind of in the middle of  
18 where the victims were. I remember initially grabbed her,  
19 moved her to the side, and I kind of looked at her and I said,  
20 Sweetheart, we're here to help, please stay right here I'll be  
21 right back. And then I -- that's when I kind of took off and  
22 did what I was doing as far as searching the room. Then when  
23 I moved back to where I had left her, she had kind of moved  
24 back over to the center of the floor where the majority of the  
25 victims were.

## EDWARD HENDERSON - DIRECT EXAMINATION

1 And that's -- at that point Officer Sheppard had come in  
2 and I -- Kniess was asking me, Sergeant Kniess was asking us  
3 to get people out of the room. And so that's when I said,  
4 Sheppard, please take her out, and he kind of took her from  
5 there and got her out of there.

6 Q. Did you have any other responsibilities throughout that  
7 evening as far as handling the scene or working there?

8 A. We were -- myself, Stewart and Sergeant Lites were  
9 basically guarding the scene, making sure after we had cleared  
10 everything, we cleared the upper part of the church, cleared  
11 everything else, we took over essentially just crime scene  
12 management, taking the names of everybody who went in,  
13 detective, crime scene, investigators, things of that nature.  
14 And then just making sure that the crime scene was generally  
15 safe.

16 Q. Do you recall there being a bomb threat?

17 A. I do.

18 Q. Did you react to that or did you stay or what did you do?

19 A. We were told to evacuate the scene. So myself and Stewart  
20 left, I know Sergeant Lites stayed. But then I was -- at that  
21 point I was moved to a traffic post for a little while until  
22 the bomb threat was cleared.

23 Q. Do you recall crime scene officers from SLED showing up?

24 A. Yes, I do.

25 Q. Were they the ones that processed the crime scene?



## EDWARD HENDERSON - DIRECT EXAMINATION

1 A. Ultimately I believe they were the ones that processed the  
2 scene, yes, sir.

3 Q. What was the last thing you did before you went off shift?  
4 Where did you end up working the rest of the night?

5 A. I basically returned. After the bomb threat I returned to  
6 the scene, then I handled -- myself and Stewart handled doing  
7 the initial incident report and then doing the supplementals  
8 for the crime scene log, and basically just myself and --  
9 myself through what I had seen.

10 MR. WILLIAMS: No further questions.

11 THE COURT: Cross-examination?

12 MR. BRUCK: We have no questions for Officer  
13 Henderson.

14 THE COURT: Thank you, Officer, you can step down.

15 I think this is a good time for our afternoon break. Take  
16 about 15 minutes.

17 (A recess was held at this time.)

18 (Jury not present.)

19 THE COURT: Mr. Richardson, can I raise a question  
20 with you, please, sir?

21 MR. RICHARDSON: Yes, Your Honor.

22 THE COURT: Those last several witnesses seem awful  
23 cumulative to me. We don't have to put every witness up who  
24 can talk about some fact about the case.

25 MR. RICHARDSON: We are not, Your Honor, we are

## JOHN LITES - DIRECT EXAMINATION

1 getting just ahead, I can assure you, you can imagine the  
2 number of officers responded, we have narrowed those down, we  
3 are continuing to do that. We have one more officer who  
4 responded.

5 THE COURT: I just want them to say something unique,  
6 because otherwise it's just cumulative.

7 MR. RICHARDSON: I understand, Your Honor, and we're  
8 moving that process along. We have one more officer, and then  
9 we have the firefighter who was rendering medical aid, and I  
10 think we'll be through the first responders.

11 THE COURT: That's fine. I mean, I don't want to  
12 tell you how to try the case, you know the details and I  
13 don't. I just listened to four witnesses that seemed to say  
14 almost the same thing to me.

15 MR. RICHARDSON: Well, we would say there's some  
16 differences, Your Honor, and there's a little bit of nuance.  
17 We're going to move it along here.

18 THE COURT: Very good.

19 MR. RICHARDSON: I think we'll get there pretty  
20 quickly.

21 THE COURT: Very good. Bring in the jury.

22 (Jury present.)

23 THE COURT: Call your next witness.

24 MR. WILLIAMS: Thank you, Your Honor, Government  
25 calls John Lites.

## JOHN LITES - DIRECT EXAMINATION

1 THE CLERK: State your full name for the record,  
2 please.

3 A. Sergeant John Lites with the Charleston police department.

4 JOHN LITES, a witness called by the Government, first  
5 having been duly sworn, testified as follows:

6 DIRECT EXAMINATION

7 BY MR. WILLIAMS:

8 Q. Good afternoon.

9 A. Hi.

10 Q. I think you said that when you were sworn in, you work for  
11 the city police department?

12 A. Yes, sir.

13 Q. What do you do for the police department?

14 A. I'm a patrol supervisor in team two, which is Calhoun  
15 south to the Battery.

16 Q. How long have you worked in law enforcement?

17 A. Seventeen years.

18 Q. What types of different jobs have you had within the  
19 police department or in law enforcement?

20 A. Yes, sir. I've been in patrol in, I think, every team in  
21 the department. That's West Ashley, Daniel Island, downtown.  
22 I've also been a team investigator twice, which investigates  
23 crimes such as car break-ins, I've been a central detective, I  
24 was a detective for three years. I ran special units in the  
25 department, one of them was on the east side for seven years,

## JOHN LITES - DIRECT EXAMINATION

1 had 12 officers working for me.

2 Q. What is your current rank or current position?

3 A. I'm a sergeant.

4 Q. How long have you been a sergeant for?

5 A. Five years.

6 Q. What area do you supervise at this point in time, or --  
7 last year.

8 A. Team two is where I work now, and that covers Calhoun  
9 Street down all the way to -- south to the water to the  
10 Battery. And I'm a patrol supervisor, so I have officers that  
11 work under me.

12 Q. As a supervisor, how many officers do you supervise?

13 A. Right now I have six. It ranges from four to six.

14 Q. And do you work out of a location with another team or  
15 the -- the district team, team nine?

16 A. Yes. They're actually -- part of their area is inside of  
17 our team, so the King Street, the market, that's the  
18 entertainment district. We cover that also.

19 Q. I want to go back to June 17th of 2015. Do you recall  
20 responding or getting a call to respond to the Emanuel AME  
21 Church?

22 A. I do.

23 Q. At that point in time did you have any particular training  
24 on active shooters?

25 A. Yes.

## JOHN LITES - DIRECT EXAMINATION

1 Q. Explain to the jury what the response is as a supervisor  
2 to an active shooter situation.

3 A. Yes, sir. Over the years, active shooter training,  
4 training has changed. We used to respond and we'd set up a  
5 perimeter and call in for special unit like SWAT to come in  
6 and make entry into the building. After several shootings  
7 around the country, we've changed the way we respond as  
8 officers. We make a decision when we get there, if we believe  
9 there's an active shooter or someone that's still inside  
10 actively shooting people, we enter the building, as soon as we  
11 get at least two officers on scene, so we try to stop it.

12 Q. And if you can explain to the jury, what type of call went  
13 out on June 17th?

14 A. Yeah, I was actually on the Battery when the call went  
15 out, and I remember hearing it and thinking we get a lot of  
16 calls, but I was like, this is a real call. But the call on  
17 the radio was the pastor at the AME Church had been shot in  
18 his office. That was what the call was.

19 Q. What did you do in response to that call?

20 A. Okay. My responsibility is to make sure my officers are  
21 doing what they need to be doing, too, but I responded as  
22 quickly as I could from the Battery to the church. On the way  
23 to the church I listened to the radio traffic. Some of my  
24 officers got on the scene before I did. Once they arrived on  
25 scene, I assessed that, and I was right behind them, but I

## JOHN LITES - DIRECT EXAMINATION

1 just ordered them into the church. They said when they  
2 arrived they didn't hear any gunshots, but I wanted them to go  
3 in. I ordered them into the building and they went in without  
4 hesitation.

5 Q. As far as the Emanuel AME Church, are you familiar with  
6 that church?

7 A. Yes.

8 Q. How would you describe that area?

9 A. Almost like a tourist area. We don't have any crime there  
10 to speak of. It's surrounded by another business and a gas  
11 station. And it's not -- it's a tourist area, I would say.

12 Q. As far as the response as a sergeant, were there other  
13 sergeants that were also involved in the response?

14 A. Yes, Sergeant Kniess is -- he's in charge of the  
15 entertainment district, that's King Street and the Market.  
16 And my responsibility is the entire team, which includes that.  
17 But he has people that work directly for him, I have people  
18 that work directly for me. But the church would fall into the  
19 area that I was responsible for.

20 Q. Was there any way that you divided up supervisory  
21 responsibilities between you and Sergeant Kniess?

22 A. Right. Well, we have what's called like an incident  
23 command system that's part of our training. So when you get  
24 there, the people that are the highest ranking, they take over  
25 the scene, which we do. On every crime, not just an incident

## JOHN LITES - DIRECT EXAMINATION

1 like this.

2 So when we arrived on scene, Sergeant Kniess was on the  
3 outside of the church, I took care of the inside of the  
4 church, Sergeant Kniess went back on the outside. So I  
5 supervised what was going on inside and Sergeant Kniess  
6 supervised what was going on outside.

7 Q. In terms of supervision, what were the priorities when you  
8 arrived or when your officers arrived?

9 A. Right. Well, the first part is secure the scene and make  
10 sure no one else gets hurt, that was -- that was the priority  
11 and that's what we did.

12 Q. Is there a second priority after that?

13 A. To secure the scene? Yeah, secure the evidence.

14 Q. So what did you find then when you got to the church  
15 itself?

16 A. Yes. We walked in and -- Do you want me to describe it  
17 when I walked in?

18 Q. Let me ask you this first, had anybody else made entry  
19 into the church before you?

20 A. Yes.

21 Q. Who had done that?

22 A. It would have been Stewart and Henderson and Kniess was  
23 inside, and I think Delinski.

24 Q. Delaney?

25 A. Delaney, sorry.

## JOHN LITES - DIRECT EXAMINATION

1 Q. What did you find then when you went into the church?

2 A. They had started to clear the church. Which means they go  
3 thoroughly through it to look for the suspect and identify any  
4 victims that might need help. So when I walked in, they had  
5 just started doing that.

6 Q. Since they were clearing the church, what did you do?

7 A. Yes. When I walked in I started to assess the situation.  
8 I walked in the door, there was two ladies, older ladies and a  
9 child. The child was running around the table, obviously in  
10 shock. And I went up to one of the ladies and started talking  
11 to her, trying to figure out exactly what happened, trying to  
12 communicate with her to tell us what the suspect looked like,  
13 what had happened. She gave me information. Once she gave me  
14 that information, I relayed it out on the radio so other  
15 officers responding could know what to look for and expect.

16 Q. When you say the child was running around a table, what  
17 table?

18 A. There was a table to the right just straight in front of  
19 the door. When you walk in about 20 feet, there was a table a  
20 little bit to the right of me when I walked in.

21 Q. And as far as you said you saw two women there, were you  
22 able to see anybody else, victims or otherwise?

23 A. Oh, yes. Yeah.

24 Q. Explain that to the jury.

25 A. Yeah. At that time I didn't count, but there were bodies



## JOHN LITES - DIRECT EXAMINATION

1 strung about the whole area of the church. And they obviously  
2 had been shot. Everybody was bleeding. There was blood,  
3 there was still people that were still alive when I arrived.  
4 There specifically was one person that was still alive, and  
5 the young man, I talked to him, held his hand when he passed  
6 away.

7 Q. Explain to me what happened, who was there and sort of  
8 what you witnessed in that circumstance.

9 A. Yeah, I was talking to the lady, getting information from  
10 her about what happened, and gave that out on the radio. And  
11 then I looked down and there was a young man laying there, and  
12 he kind of gasped and he came -- sat up just a little bit.  
13 And he said, I got shot. So I bent down and I grabbed his  
14 hand, and he was hurt really bad. So I mean he knew he was  
15 hurt. And while I was talking to him, he grabbed my hand, he  
16 squeezed it, and he kind of smiled and then he passed away.  
17 But there were other people that were already dead there that  
18 weren't moving, and there was at least five or six bodies  
19 right in that area where I was at.

20 Q. The woman that you were talking to, do you know if she was  
21 nearby you at the time, were you aware of --

22 A. Yes, she was kind of over my shoulder when I was talking  
23 to the young man.

24 Q. Once you had dealt with the young man on the ground, you  
25 say he squeezed your hand, what did you do next?

## JOHN LITES - DIRECT EXAMINATION

1 A. I stood up and I started assessing the situation, about  
2 clearing the church and making sure it had been cleared.  
3 Officer Henderson came back, and asked him if they, you know,  
4 have they cleared the entire building. He said they did. And  
5 I told him to clear the building again for a second time and  
6 then a third time to make sure there was no place they didn't  
7 look. Because we didn't want -- wanted to make sure that  
8 shooter was not still there.

9 Q. Were you able to clear the entire sort of ground floor?

10 A. Yeah, we were. While I was standing there -- the original  
11 call was to the office. And I noticed, Ed, did y'all clear  
12 the office, and they said, we checked the door and it was  
13 locked. So it was on the other wall, and we went over and we  
14 kicked the door in and went in and cleared it. And we found  
15 another lady and a child hiding under the desk inside that  
16 office. But the shooter was not there.

17 Q. As far as the folks that were in the main floor, two women  
18 and the child, what happened with them?

19 A. Yeah. It's important to get them out of there, I thought,  
20 as soon as possible. Obviously the child was in shock. So  
21 officers came in. Specifically remember one from the county  
22 came in, we gave her the child. We moved the remaining  
23 victims that were still alive, out to a secure area where they  
24 could be safe.

25 Q. What did you do once you had sort of cleared or got to

## JOHN LITES - DIRECT EXAMINATION

1 that point in clearing the ground floor?

2 A. About that time EMS and fire were coming in while we were  
3 doing all of this. We made sure they were safe. We had an  
4 officer stay right there with them, they checked out the  
5 victims that were remaining. They found one gentleman still  
6 had some vital signs, so they went ahead and transported him  
7 to the hospital. And then once they were finished, they --  
8 they were going to thoroughly check the people, and I just  
9 asked them to check the pulses, because obviously they weren't  
10 alive, most of them, so -- I didn't just want them disturbed.  
11 So once they were finished, I asked everybody to leave, and  
12 then I was in there by myself for a good while.

13 Q. You say that you didn't want the bodies disturbed.

14 A. Yes, sir.

15 Q. Did you observe to make sure --

16 A. Yeah.

17 Q. -- that evidence wasn't disturbed?

18 A. Nothing was disturbed. After -- the firemen went to do --  
19 he went to put the heart rate monitor on one of the people, he  
20 started to move the body, and I stopped him and said, let's  
21 just check everybody for pulses, I don't want everybody moved  
22 around. He agreed with me. And that's all they did from then  
23 on is just -- they didn't move the bodies, they went and  
24 checked for a pulse on each person. And that's important,  
25 because it's a crime scene, okay, but it's also respectful not

## JOHN LITES - DIRECT EXAMINATION

1 to move people around, in my opinion, if you don't have to.

2 Q. So you say that fire and EMS arrived. Were you  
3 responsible for -- you say you maintained part of it, not  
4 moving bodies around; did you stay and maintain that scene --

5 A. Yes.

6 Q. -- so it wasn't tampered with?

7 A. That's my responsibility is to make sure the crime scene  
8 is secure. That was my function. Once the area is secure and  
9 there's no suspect, then my job is to secure the area and make  
10 sure the crime scene doesn't change.

11 Q. Tell the jury sort of how that progressed overnight and if  
12 anything happened.

13 A. Yeah. Well, first of all, we secure the access into the  
14 building, and I put an officer at the door, and we keep a log  
15 of everybody who comes and goes. Okay? I control the access  
16 to the building. So no one came into the building that did  
17 not need to be in there. Nobody -- I was there -- that  
18 happened 8:00, 9:00 o'clock at night, I was there till 8:00 or  
19 9:00 the next morning. And until the investigation was taken  
20 over by SLED, nobody came in and touched the bodies, nobody,  
21 you know, crime scene came in and took a video, but -- and a  
22 detective came into the building. But those were the only  
23 people, and a few others that we really controlled access and  
24 didn't let people come in.

25 Q. Was there a point where a bomb threat was called in?

## JOHN LITES - DIRECT EXAMINATION

1 A. Yes, sir.

2 Q. Tell the jury about that.

3 A. We were told, I don't remember what time it was, but  
4 myself and Deputy Chief Taylor were at the door, I had already  
5 sent my guys away, so I was at the door myself with Deputy  
6 Chief Taylor, one of our lieutenants came up and said there  
7 was a bomb scare and we all needed to evacuate.

8 And I refused to leave. So --

9 Q. Do you normally -- you say you were ordered to --

10 A. I was ordered to leave.

11 Q. Why didn't you do it?

12 A. Out of respect for the people in the church, and I didn't  
13 think it was right to go, sir.

14 Q. Did anybody stay with you?

15 A. Yes, Deputy Chief Taylor stayed with me and he said we  
16 weren't leaving.

17 Q. Did anybody else stay there with the victims besides you  
18 and Deputy Chief Taylor?

19 A. No, sir.

20 Q. How long did the bomb threat last?

21 A. About an hour, I think.

22 Q. Once the threat was over, what was your next role?

23 A. We just stayed on the scene and kept it secure until the  
24 decision was made about how we were going to proceed with it.  
25 And that was made by somebody else.

## JOHN LITES - DIRECT EXAMINATION

1 Q. You say that SLED came in for the crime scene.

2 A. Um-hum.

3 Q. Explain that to the jury.

4 A. Yeah. I know that -- well, I was talking about instance  
5 of command; at one point I was no longer the senior ranking  
6 command there. So they have a command post set up, and the  
7 chief comes and they make decisions about who's going to help  
8 us, who has the best equipment, who can do the best  
9 processing, who has the best ability to take care of what  
10 needs to be taken care of. And a decision was made that SLED  
11 had the best knowledge and could take care of it. So I guess  
12 that's what they did. And I held the scene -- I was relieved  
13 at 8:30, so -- and I know SLED was taking over the scene when  
14 I left, but I don't know anything after that.

15 Q. And what is SLED?

16 A. South Carolina Law Enforcement Division. They're like our  
17 state FBI. They have more better equipment, they have better  
18 tools, they have more training than some police agencies. And  
19 a lot of agencies will call them in to help when they have a  
20 situation that is just overwhelming. They volunteered to come  
21 help us.

22 Q. And you say that you stayed there until they arrived?

23 A. Yes, sir.

24 Q. Did anybody tamper with the scene apart from what you've  
25 already explained?

## JOHN LITES - DIRECT EXAMINATION

1 A. No, sir, that scene was controlled, I personally  
2 controlled it. No one came in and did anything.

3 MR. WILLIAMS: Thank you. No further questions.

4 THE COURT: Cross-examination.

5 MS. STEVENS: Thank you, Your Honor.

6 CROSS-EXAMINATION

7 BY MS. STEVENS:

8 Q. Afternoon, Sergeant.

9 A. Hi.

10 Q. Thank you for your service.

11 A. Thank you.

12 Q. Do you recall what time you initially arrived at Emanuel  
13 AME Church on June 17th?

14 A. I can't give you the exact time. I believe the call went  
15 out around 8:30, so whenever it was dispatched, it was  
16 probably three or four minutes later when I got there.

17 Q. Do you recall, you described the initial page that you  
18 heard over your radio. Do you know what time that came  
19 through?

20 A. I don't know the exact time, I'm just giving an  
21 approximation.

22 Q. Yes, sir. And do you know what time the initial calls to  
23 911 were made from within the church?

24 A. No, I don't.

25 Q. And just to clear up one thing, were you made aware later

## JOHN LITES - DIRECT EXAMINATION

1 in your investigation that the bomb threat that was called in  
2 or may have been called in had nothing to do Dylann Roof?

3 A. I don't have any knowledge of that.

4 MS. STEVENS: All right. That's all I have. Thank  
5 you.

6 THE COURT: You may step down. Thank you.  
7 Call your next witness.

8 MR. CURRAN: Government calls James Jacques.

9 THE CLERK: State your full name for the record.

10 A. James T. Jacques.

11 JAMES JACQUES, a witness called by the Government, first  
12 having been duly sworn, testified as follows:

## 13 DIRECT EXAMINATION

14 BY MR. CURRAN:

15 Q. Afternoon, Captain Jacques.

16 A. Afternoon.

17 Q. Where are you from?

18 A. From City of Charleston.

19 Q. You were born and raised here?

20 A. Yes, sir.

21 Q. And what do you do for a living?

22 A. I'm a fireman for the City of Charleston fire department.

23 Q. And how long have you been a firefighter?

24 A. I've been with the City of Charleston for 16 years now.

25 Q. And how old were you when you started in firefighting?



## JAMES JACQUES - DIRECT EXAMINATION

1 A. I started with the city when I was 19, straight out of  
2 high school.

3 Q. Right out of high school?

4 A. Yes, sir.

5 Q. What is your current position with the Charleston fire  
6 department?

7 A. I'm a captain.

8 Q. And how long have you been a captain?

9 A. Going on six years.

10 Q. And what is your principal responsibility as a captain;  
11 what does a captain do?

12 A. My responsibility is to come in on a daily basis when our  
13 shift starts, and I'm in charge of up to three to four guys  
14 underneath me. I'm in charge of their daily routines. Of  
15 course when we are on calls, of being in charge of the call  
16 for just making sure everything goes smoothly at the station.

17 Q. In short, do you run a firefighting crew?

18 A. Yes, sir.

19 Q. And does your particular crew have a name or a  
20 designation?

21 A. Yes, sir.

22 Q. What is that?

23 A. Our house is Engine 102.

24 Q. And does that mean you're assigned to Engine 102?

25 A. Yes, sir.

## JAMES JACQUES - DIRECT EXAMINATION

1 Q. Are you the only crew assigned to Engine 102?

2 A. Yes, sir, there's three different crews assigned, but  
3 we're the only crew assigned for a 24-hour period.

4 Q. And where is that crew assigned for the Charleston fire  
5 department? Where is your station house?

6 A. Our station is at the corner of Meeting and Wentworth.

7 Q. Is that right in downtown Charleston?

8 A. Yes, sir.

9 Q. And is that the same station house -- You're Engine 102,  
10 correct?

11 A. Yes, sir.

12 Q. Is that the same station house as Engine 103?

13 A. Yes, sir.

14 Q. So you share the same station house. Let's shift a little  
15 bit to what some of your duties are with the fire department.  
16 Is it unusual for you to get called out for things other than  
17 fires?

18 A. No, sir.

19 Q. For example, is it unusual for you to get called out on  
20 calls that are purely medical response?

21 A. Yes, sir.

22 Q. And as a result, do firefighters receive medical training?

23 A. Yes, sir.

24 Q. All firefighters?

25 A. All of the City of Charleston firefighters, yes, sir.

## JAMES JACQUES - DIRECT EXAMINATION

1 Q. And what type of training do firefighters receive?

2 A. All our new firefighters coming in are trained to EMT  
3 basic level. We also have some paramedics that work for the  
4 fire department, and then some of the older firefighters that  
5 have been there for awhile are just basic first responders.

6 Q. So first responders, EMT, is that emergency medical  
7 technician?

8 A. Yes, sir.

9 Q. Then paramedics?

10 A. Yes, sir.

11 Q. Is paramedic the highest of those three?

12 A. Yes, sir.

13 Q. And first responders is the basic level?

14 A. Yes, sir.

15 Q. What is your level?

16 A. I'm an EMT basic.

17 Q. And for all three of those levels, does that training  
18 including assessing a patient's basic physical condition?

19 A. Yes, sir.

20 Q. And that includes the basic level first responder?

21 A. Yes, sir.

22 Q. Okay. And does that training include how to determine  
23 whether someone is alive?

24 A. Yes, sir.

25 Q. Is it unusual for you to get called out on calls where

## JAMES JACQUES - DIRECT EXAMINATION

1 that is an issue, where you might have to determine whether  
2 someone is dead or alive?

3 A. No, sir.

4 Q. I'm going to turn to the night of June 17th. You're on  
5 duty that night?

6 A. Yes, sir.

7 Q. And I should explain. I should elaborate further.  
8 June 17, 2015.

9 A. Yes, sir.

10 Q. Last year. Were you working with Engine 102 that night?

11 A. Yes, sir.

12 Q. As a captain?

13 A. Yes, sir.

14 Q. Who else was on your crew that evening?

15 A. On my engine it was -- of course I was the captain, my  
16 engineer was Alex Glover, and my two firemen that ride the  
17 back of the truck, one was Adam Souter and the other one was  
18 Quincy Myers.

19 Q. You're the captain?

20 A. Yes.

21 Q. Alex was the engineer?

22 A. Yes, sir.

23 Q. What is an engineer, for folks are not familiar with --

24 A. Engineer --

25 Q. Let me stop you for a second. You need to let me finish

## JAMES JACQUES - DIRECT EXAMINATION

1 the question, or else the court reporter is not going to be  
2 able to have us talk over each other and figure it all out.

3 So what is an engineer?

4 A. An engineer is the person that drives our truck.

5 Q. And you mentioned a couple of individuals, Quincy -- can  
6 you tell us their names again?

7 A. Adam Souter and Quincy Myers.

8 Q. They're firefighters?

9 A. Yes, sir.

10 Q. Now I'm doing it to you; I apologize. What do  
11 firefighters do, what's their role?

12 A. Basically their role is pretty much the same as all of us,  
13 but they're not in charge of anything. They're pretty much  
14 the low guys on the totem pole, they -- they do whatever I ask  
15 them to or whatever their engineer asks them to. And they're  
16 also in charge of patient care, any kind of other things we  
17 need to do on the fire scene.

18 Q. All right. And I think you already told us this;  
19 everybody gets medical training?

20 A. Yes.

21 Q. Correct? So everybody on your crew had medical training?

22 A. Yes, sir.

23 Q. Correct? And that included training on how to determine  
24 whether someone is alive?

25 A. Yes, sir.

## JAMES JACQUES - DIRECT EXAMINATION

1 Q. Was your crew one of the crews that was called to Mother  
2 Emanuel that night?

3 A. Yes, sir.

4 Q. Where were you when you first got that call?

5 A. We were inside our station at the corner of Meeting and  
6 Wentworth.

7 Q. Were you the first unit dispatched from the fire  
8 department?

9 A. No, sir, we -- the first unit was Engine 103, but we were  
10 dispatched immediately right after.

11 Q. I think you told us earlier Engine 103 is co-located with  
12 you, right?

13 A. In the same house.

14 Q. And you were dispatched immediately after. What, if  
15 anything, did you know about the call when you were first  
16 called out?

17 A. Well, the -- when it was dispatched across our radio, it  
18 was a call to location for trauma.

19 Q. And did you learn anything else about the call en route --

20 A. Yes, sir.

21 Q. -- to the destination? What did you learn?

22 A. We have our NBTs, which are computers on our truck that  
23 are straight from the dispatch center said -- any kind of  
24 notes they're typing in puts it on our computer and we can  
25 read it. So we were reading the notes that it was -- that

## JAMES JACQUES - DIRECT EXAMINATION

1 there was eight people had been shot.

2 Q. So you received on the computer of your truck sort of a  
3 dispatch system, notes that eight people had been shot?

4 A. Yes, sir.

5 Q. So you responded to the call. Where did you go?

6 A. We went to Emanuel AME Church, 110 Calhoun.

7 Q. Did you pull right up in front or did you go --

8 A. No, sir, we pulled in on Calhoun Street, but we stopped  
9 just before the church.

10 Q. And I think you already said Engine 103 was dispatched  
11 before you; were they already there?

12 A. They were -- because of us being in the same house and it  
13 happened so quick, we actually pretty much pulled up at the  
14 same time.

15 Q. And who was in Engine 103's crew that night?

16 A. You had Hugo Marchand was the captain that night, Jason  
17 Dunnigan was the engineer, you had John Montone was one of the  
18 firefighters, and then Steve Ezerela.

19 Q. So Hugo Marchand was the captain?

20 A. Yes, sir.

21 Q. And everybody there had received medical training, you  
22 were telling us.

23 A. Yes, sir.

24 Q. Were there any other medical personnel there when you  
25 arrived?

## JAMES JACQUES - DIRECT EXAMINATION

1 A. Yes, sir.

2 Q. Who?

3 A. Charleston County EMS, Medical One was there.

4 Q. Is Charleston County EMS, that part of the fire  
5 department?

6 A. No, sir, it's a separate entity.

7 Q. And are they the ambulance people?

8 A. Yes, sir.

9 Q. And do you know the names of -- how many EMS people were  
10 there when you arrived?

11 A. It was two.

12 Q. Do you know their names?

13 A. No, sir.

14 Q. Can you describe them generally?

15 A. It was a male and a female, and of course the male was the  
16 paramedic and the female was EMT basic.

17 Q. The male had the higher level?

18 A. Yes, sir.

19 Q. Was he in charge of her then?

20 A. Yes, sir.

21 Q. After you arrived, what did you and your crew do?

22 A. We gathered our medical equipment, our EMS bags, and we  
23 gathered up to the front of the church, and we were escorted  
24 around to the bravo side of the church to a door.

25 Q. Let me stop you for a second. I asked you about your



## JAMES JACQUES - DIRECT EXAMINATION

1 crew, so that's you and your three fellow crew next, correct?

2 A. Yes, sir.

3 Q. What about the Engine 103 crew members, were they already  
4 ahead of you; where were they?

5 A. No, sir, we pretty much met at the same location at the  
6 same time.

7 Q. So you were all together.

8 A. Yes, sir.

9 Q. How about the two EMS people?

10 A. They were with us also.

11 Q. So the ten of you, ten medically trained people?

12 A. Yes, sir.

13 MR. CURRAN: Exhibit 20, which has already been  
14 admitted, Your Honor.

15 Q. This is a diagram that's already been admitted of Emanuel  
16 AME Church. In the upper left-hand portion of the diagram --  
17 Do you recognize this diagram?

18 A. Yes, sir.

19 Q. Please indicate, please describe where you went initially  
20 when you arrived. Not when you're in the vehicle, but when  
21 you and the other medical people were approaching the church.

22 A. There's a gate to the left side of the building that goes  
23 down that is closing off the bravo side of the structure. And  
24 there's a parking lot there. Well, we went through that gate,  
25 and then on the bravo side was a double door that goes into

## JAMES JACQUES - DIRECT EXAMINATION

1 the --

2 Q. Let me stop you for a second. You're using a little  
3 firefighter jargon there, aren't you. You called it the bravo  
4 side. So let's refer to this diagram, and what side of the  
5 diagram, you see that's Calhoun Street, correct?

6 A. Yes, sir.

7 Q. That's where you pulled up?

8 A. Yes, sir.

9 Q. And you went through a gate into a parking lot; are you  
10 referring to the parking area that appears to be above the  
11 church on this diagram?

12 A. Yes, sir.

13 Q. Okay. And is that side of the church what you're  
14 referring to as the bravo side?

15 A. Yes, sir.

16 Q. Please continue.

17 A. All right. As we made it to the gate, the engineer off  
18 Engine 103 had to cut a lock on the gate for the gate to open  
19 up. We went inside there and we met up with the law  
20 enforcement officer at the double doors on that left side.

21 Q. All right. So on this diagram, you said on the left side,  
22 are you still talking about on top of the church?

23 A. Yes, sir, the top.

24 Q. And you see it shows the map to be -- not to be completely  
25 legible, but there's a little disability access insignia? Do

## JAMES JACQUES - DIRECT EXAMINATION

1 you see that?

2 A. Yes, sir.

3 Q. Is that where you're referring to?

4 A. Yes, sir.

5 Q. All right. And they just taught me how to do this. Let's  
6 see if I can do it. Talking about right there?

7 A. Yes, sir.

8 Q. Okay. Were there any police department officers in that  
9 area?

10 A. Yes, sir. There was a police officer at the door.

11 Q. And did the officer tell you anything about the scene as  
12 you approached the door?

13 A. He told us the scene was not secure, as in they were still  
14 an active shooter and they didn't have the suspect. And he  
15 also told us that everybody was gone.

16 Q. He told you everybody inside was gone?

17 A. Yes, sir.

18 Q. What -- after you approached the door, what did you and  
19 your crews do?

20 A. So we met with him. At first he was hesitant on letting  
21 us come in because of the situation. We then proceeded inside  
22 the doors, the double doors, and it goes into like a foyer.  
23 The -- before you go into the social hall. And the doors were  
24 shut behind us at that point.

25 Q. And when you say us, are you still referring to the ten

## JAMES JACQUES - DIRECT EXAMINATION

1 medical people that we were talking about earlier?

2 A. Yes, sir, the crew of Engining 102 and 103 and Medic One.

3 Q. And at that point what you've learned en route, what the  
4 officer had told you, what was your mission?

5 A. Our mission was to arrive on scene to see if we could find  
6 anybody that was saveable that we could do something for and  
7 get them en route to the hospital.

8 Q. Is that a process that you referred to as triage?

9 A. Yes, sir.

10 Q. And as captain of your crew, what was your role in that  
11 process?

12 A. Ultimately my role is I'm supposed to be the supervisor of  
13 any call that we go on. But at first I was along with the  
14 rest of the crew in triaging the patients.

15 MR. CURRAN: I'm now displaying Exhibit 21, Your  
16 Honor, which has already been admitted.

17 THE COURT: Very good.

18 BY MR. CURRAN:

19 Q. All right. Do you recognize this diagram?

20 A. Yes, sir.

21 Q. What does it show?

22 A. It shows the social hall. Of the church.

23 Q. And is that the area into which you entered?

24 A. Yes, sir.

25 Q. And where on this diagram, just to orient the jury, where

## JAMES JACQUES - DIRECT EXAMINATION

1 did you enter?

2 A. If you -- at the top of the diagram towards the left side  
3 there's a double door. Not on the street side.

4 Q. So not on the street side but on the top side where you're  
5 referring to earlier there's a pair of double doors. I'm  
6 going to circle it, tell me if that's --

7 A. That's the doors right there.

8 Q. So that's where you entered. What did you see in the hall  
9 when you first entered?

10 A. When we first entered, of course there was tables and  
11 chairs, but we seen bodies on the floor, there was blood  
12 everywhere, there was bullet casings, magazines, there's --  
13 pretty chaotic.

14 Q. Had you ever had to respond to a scene like that before in  
15 your time at the fire department?

16 A. No, sir.

17 Q. Where on Exhibit 21, which is the diagram in front of you,  
18 did you first see bodies when you entered?

19 A. When we first entered, of course we could see across the  
20 row of chairs that's over to the round tables, and we could  
21 see people were just laying there. Underneath the tables.

22 Q. So on this diagram you talked about the circular tables,  
23 you were talking about these tables here?

24 A. Yes, sir.

25 Q. That's where the bodies were. What did you and your teams

## JAMES JACQUES - DIRECT EXAMINATION

1 do after you entered? We're going to start very generally  
2 then work towards more specifics. So what was your general  
3 plan, what did you -- the teams do?

4 A. Of course just like we talked about, our main objective  
5 there was to triage all the patients. So in order to do that  
6 we all -- we split up. Engine 102 went to the front of the  
7 room, Engine 103 went to the back of the room along with the  
8 Charleston County Medic One.

9 Q. Let me stop you. When you're talking about the front of  
10 the room, the back of the room, this makes sense to you, it  
11 may not make sense to the jury, who has only just seen this  
12 diagram for the first time today. On the diagram up the  
13 middle there's a shaded area called the altar. Do you see  
14 that? Is that what you're referring to as the back of the --  
15 front of the room?

16 A. Yes, sir.

17 Q. And the area where you entered, is that what you're  
18 referring to as the back of the room?

19 A. Yes, sir.

20 Q. And where did your crew go?

21 A. My crew went to the front of the room first.

22 Q. And 103's crew -- yeah, am -- you're 102.

23 A. Yes, sir.

24 Q. And 103's went to the front.

25 A. Went to the rear.

## JAMES JACQUES - DIRECT EXAMINATION

1 THE COURT: Rear.

2 Q. To the rear. I got you confused and got that confused,  
3 but I think you've explained it clearly for them. And then  
4 did you work to the middle?

5 A. Yes, sir.

6 Q. As captain, fairly long-time captain at that point, did  
7 you monitor the efforts of the other firefighters?

8 A. Yes, sir.

9 Q. For both of your teams?

10 A. Yes, sir. Pretty much for the whole scenario, or for the  
11 whole incident that was inside.

12 Q. And what did you do to monitor what they were doing?

13 A. Of course after I first started the triage process with  
14 the whole crew, and I triaged one patient, I backed up and  
15 took --

16 Q. Let me stop you. That wasn't my question. How do you  
17 monitor the other firefighters?

18 A. By standing back watching everybody, making sure that they  
19 were doing what they needed to do.

20 Q. And were you communicating with them as well?

21 A. Yes, sir.

22 Q. All right. And what specifically were they trying to do  
23 at that point?

24 A. They were, of course, triaging the patients and seeing who  
25 was viable and who wasn't.

## JAMES JACQUES - DIRECT EXAMINATION

1 Q. One of the things they were doing was checking for signs  
2 of life, correct?

3 A. Yes, sir.

4 Q. And what are you trained to do to check for signs of life?

5 A. One of the two main things, first main thing to check for  
6 signs of life is to check for a pulse or breathing.

7 Q. And how do you check for a pulse, what do you check?

8 A. There's a couple different ways you can do it. You can do  
9 it corotid, which is when you check the neck, when you check  
10 in your hand, or right here in your arm, so there's a couple  
11 different places you can check.

12 Q. As they were doing this, did they move any of the victims?

13 A. No, sir.

14 Q. At some point, and I'm jumping ahead a little bit here --

15 A. Yes, sir.

16 Q. -- did Captain Marchand get a pulse off of someone?

17 A. Yes, sir.

18 Q. Do you think he did?

19 A. Yes, sir.

20 Q. Did he end up having to move that patient?

21 A. Yes, sir.

22 Q. We'll talk about that in a little bit as we go through the  
23 sequence here.

24 And toward the ends of your time there did you find a  
25 ninth patient in addition to the eight that you'd been told



## JAMES JACQUES - DIRECT EXAMINATION

1 about?

2 A. Yes, sir.

3 Q. And was -- did he have signs of Life?

4 A. Yes, sir.

5 Q. And did you have to remove him as well?

6 A. Yes, sir.

7 Q. As to the other seven, however, did you or any of your  
8 firefighters move them in doing your assessment of their signs  
9 for life?

10 A. No, sir.

11 Q. And did you and your crews check everybody in the hall?

12 A. Yes, sir.

13 Q. And apart from those two that we just talked about, and  
14 we'll talk about them shortly, did the other seven people in  
15 the hall, the other seven victims in the hall, by the time you  
16 arrived, were they exhibiting any signs of life?

17 A. No, sir.

18 Q. All right. We've been talking generally; let's move more  
19 specifically into what you did and your path through the hall  
20 that evening.

21 A. Yes, sir.

22 Q. First of all, why don't you -- you said that you went to  
23 the front, correct?

24 A. Yes, sir.

25 Q. Were you with anybody from your crews at the time?

## JAMES JACQUES - DIRECT EXAMINATION

1 A. Me and my engineer was pretty much together.

2 Q. And what was your engineer's name again?

3 A. Alex Glover.

4 Q. And you went to the front of the room. Did you observe  
5 any patient in the front of the room, any victims in the front  
6 of the room as you moved into that area?

7 A. Yes, sir.

8 Q. Describe what you saw.

9 A. Up towards the front of the room, of course we seen when  
10 we first come in we could see all the patients laying  
11 underneath the tables. As we moved through the social hall up  
12 to the front table, we noticed that there was a patient in the  
13 middle of the exhibit hall up front. Laying on the ground.

14 Q. And where was he laying? You still have an Exhibit 21 in  
15 front of you. Where was he laying?

16 A. He was laying -- he wasn't -- he was kind of like in the  
17 front of the beginning of that row, that front row of seats in  
18 front of the altar.

19 Q. So between the altar and this front row of seats?

20 A. Yes, sir.

21 Q. I'm just going to do -- talking about this area.

22 A. Yes, sir.

23 Q. So that's where you initially went.

24 A. Yes, sir.

25 Q. And you were with Engineer Glover, correct?

## JAMES JACQUES - DIRECT EXAMINATION

1 A. Yes, sir.

2 Q. Do you know the name of the person that you saw there?

3 A. Yes, sir.

4 Q. Did you know who he was at the time?

5 A. No, sir.

6 Q. Was it a male?

7 A. Yes, sir, it was male.

8 Q. How did you determine his name?

9 A. The next day with the news, I seen the photos on the news.

10 Q. And when you saw the photos on the news, were you able to  
11 match that up with what you had seen that evening?

12 A. Yes, sir.

13 Q. Okay. What was that victim's name?

14 A. Senator Pinckney.

15 Q. Have you seen this person before?

16 A. Yes, sir.

17 Q. When?

18 A. That was the male on the floor in the front of the social  
19 hall.

20 Q. This was the victim that you just described?

21 A. Yes, sir.

22 Q. What did you observe with respect to Reverend Pinckney?

23 A. I observed that he was laying on the ground, head towards  
24 the altar. There was blood all over his body. And it looked  
25 like he had multiple wounds.

## JAMES JACQUES - DIRECT EXAMINATION

1 Q. Did either you or Engineer Glover check him for signs of  
2 life?

3 A. Engineer Glover did.

4 Q. How did he do that?

5 A. He checked for a corotid pulse, then checked to see if  
6 there was a chest rise and see if he was breathing.

7 Q. And did he have to move his body to do that?

8 A. No, sir.

9 Q. What, if anything, did he report to you about Reverend  
10 Pinckney's --

11 A. That there was no signs of life.

12 Q. Did you personally observe any signs of life in Reverend  
13 Pinckney?

14 A. No, sir.

15 Q. What, if anything, did you do after Engineer Glover, in  
16 your presence, checked on Reverend Pinckney?

17 A. I actually checked a patient, it was underneath one of the  
18 tables.

19 Q. All right. Did you -- where on this diagram did you move  
20 at that point?

21 A. I -- the first table that -- the first circular table that  
22 you come to coming back from the altar.

23 Q. All right. So you moved from the area where Reverend  
24 Pinckney was to between -- was it in the area of the first and  
25 second table?

## JAMES JACQUES - DIRECT EXAMINATION

1 A. Yes, sir, it was in between the round tables and the row  
2 of chairs.

3 Q. And what did you observe there?

4 A. I observed that there was bodies underneath the tables.

5 Q. And how were the -- how were the bodies positioned?

6 A. Some of them were -- there was some of them that were on  
7 their sides, some of them looked like they were on their  
8 knees, looked like they were praying.

9 Q. Did you check any of those victims --

10 A. Yes, sir.

11 Q. -- for signs of life?

12 A. I checked one.

13 Q. Do you know the name of the person you checked?

14 A. Yes, sir.

15 Q. Did you know -- Was it a man or a woman?

16 A. It was a female.

17 Q. Did you know her name before that night?

18 A. No, sir.

19 Q. How did you learn her name?

20 A. In from the news the next day with the pictures.

21 Q. Same as you did with Reverend Pinckney?

22 A. Yes, sir.

23 Q. What was her name?

24 A. Miss Hurd.

25 Q. Have you seen this person before?

## JAMES JACQUES - DIRECT EXAMINATION

1 A. Yes, sir.

2 Q. Who is this person?

3 A. That was the victim. From the church that night.

4 Q. This is the victim that you're describing that you  
5 personally checked?

6 A. Yes, sir.

7 Q. What did you observe with respect to Miss Hurd?

8 A. She was underneath the table, she was on her left side,  
9 she was covered in blood. I couldn't observe any actual  
10 trauma to her other than there was blood all over. I checked  
11 for a pulse and also I checked to see if she was breathing.

12 Q. And what did you -- What did you find?

13 A. That she did not have a pulse and she was not breathing.

14 Q. Did you have to move Miss Hurd's body at all?

15 A. No, sir.

16 Q. What, if anything, did you do after checking on Miss Hurd?

17 A. At that point in time that's when I actually stepped back  
18 and started checking with everybody else about who was  
19 checking on to make sure all the patients are being checked.

20 Q. You stepped back into your supervisor role --

21 A. Yes, sir.

22 Q. -- making sure that everybody was getting everybody  
23 checked. Were you still in the same area that we were  
24 talking, you showed us before?

25 A. Yes, sir.

## JAMES JACQUES - DIRECT EXAMINATION

1 Q. Was anybody else in that area, any other firefighters in  
2 that area by that time?

3 A. By that time we pretty much all had made it to the middle  
4 right there.

5 Q. All right. Because your crew had gone to the front and  
6 was moving back.

7 A. Yes, sir.

8 Q. Other crew had gone back and was moving front.

9 A. Yes, sir.

10 Q. Was the other crew in that area now?

11 A. Yes, sir.

12 Q. What were they doing?

13 A. Checking the patients that were around the tables  
14 underneath them.

15 Q. And did anything unusual happen with regard to those  
16 checks?

17 A. One of the victims was found to have a pulse.

18 Q. And who made -- who reported that?

19 A. That was Engineer Hugo, or he was the captain that night.  
20 Hugo Marchand.

21 Q. Is Mr. Marchand actually an engineer, but sometimes acts  
22 as a captain?

23 A. Yes, sir.

24 Q. And so Captain Marchand reported that he felt a pulse on a  
25 victim?

## JAMES JACQUES - DIRECT EXAMINATION

1 A. Yes, sir.

2 Q. All right. Who else -- did you personally attend to that  
3 victim?

4 A. No, sir.

5 Q. Did you observe it?

6 A. Yes, sir.

7 Q. Who else was there besides Mr. Marchand?

8 A. Paramedic off of the Charleston County EMS Medic One, and  
9 then one of the firefighters off of Engine 103 is also a  
10 paramedic and he was there, too.

11 Q. And what was his name?

12 A. John Montone.

13 Q. So Mr. Montone and Captain Marchand and the medic from  
14 Charleston EMS were attending to that person?

15 A. Yes, sir.

16 Q. Do you know the name of the person they were checking?

17 A. Yes, sir.

18 Q. Did you know her name at that time?

19 A. No, sir.

20 Q. Same as what you were telling us before, you learned it  
21 the following days on the news?

22 A. Yes, sir, over the news.

23 Q. What was the name of that person?

24 A. Miss Singleton.

25 Q. You may want to pull the mike a little closer to you. If



## JAMES JACQUES - DIRECT EXAMINATION

1 you look on your screen you'll see a photo displayed, it's  
2 Exhibit 18.

3 A. Yes, sir.

4 Q. Have you seen this person before?

5 A. Yes, sir.

6 Q. Who is it?

7 A. That was Miss Singleton.

8 Q. So that is the person you were referring to as the patient  
9 who was being attended to by Captain Marchand and the others?

10 A. Yes, sir.

11 Q. Please describe for the jury what you observed with  
12 respect to what they did.

13 A. At the point in time when Hugo Marchand felt a pulse, he  
14 announced that he had a patient that had a pulse. At that  
15 point in time there was some tables right behind them, that's  
16 on the other side of the circular tables that has chairs,  
17 those were slid over. She was rolled over and pulled out from  
18 underneath the table. So that way she could be -- so that she  
19 could -- we could work on her, that we had plenty of room.  
20 They started to cut her clothes off, so that way they could  
21 hook up --

22 Q. Let me stop you for a second. Did they cut all her  
23 clothes off or a particular item?

24 A. They started to cut her shirt off.

25 Q. Why did they do that?

## JAMES JACQUES - DIRECT EXAMINATION

1 A. Because they have to hook an EKG, which is a monitor, up  
2 to a person, that way they can read your heart and deliver a  
3 shock or something like that if we needed it to be done.

4 Q. Is that part of your standard practice if you detect a  
5 pulse --

6 A. Yes, sir.

7 Q. -- is to follow up with an EKG?

8 A. Yes, sir.

9 Q. Please, I interrupted you, please continue.

10 A. They -- so they were removing her shirt, that way they  
11 could hook the EKGs up to her chest. Once they were hooked  
12 up, they turned the monitor on and it showed no signs.

13 Q. This is the diagram again. If you look at the circular  
14 tables, below the circular tables there's a group of  
15 rectangular tables, correct?

16 A. Yes, sir.

17 Q. And some of them seem to be out of order.

18 A. Yes, sir.

19 Q. Do you see that? Were they like that when you came in or  
20 was that related to what you were just describing?

21 A. That's related to what we just did. They were all in line  
22 with each other, along with the chairs underneath the tables,  
23 but we had to move them.

24 Q. So is this the area in which what you were observing was  
25 taking place?

## JAMES JACQUES - DIRECT EXAMINATION

1 A. Yes, sir.

2 Q. And what did they ultimately -- Well, let me stop. When  
3 they put an EKG on Reverend Singleton?

4 A. Yes, sir.

5 Q. And what did they ultimately determine?

6 A. That she did not have any signs of life with a pulse or  
7 any heart rhythm.

8 Q. So the EKG did not confirm that she was still alive.

9 A. No, sir.

10 Q. What, if anything, happened when your crews finished  
11 attending to Reverend Singleton?

12 A. One of the guys noticed what looked like to be a foot up  
13 in the -- up in the front corner of the room. That was tucked  
14 away.

15 Q. So you said the front corner of the room. If you look on  
16 the diagram, tell us where you are describing.

17 A. All right. So if you're looking at the diagram, if you go  
18 to the top of the diagram all the way to the right where it  
19 looks like double doors with the red lines --

20 Q. In the upper right where the double doors are, and it says  
21 on the diagram, back foyer?

22 A. Yes, sir.

23 Q. Is that where you're referring to?

24 A. Yes, sir.

25 Q. This area here? And one of your crew members reported

## JAMES JACQUES - DIRECT EXAMINATION

1 seeing a foot in the back?

2 A. Yes.

3 Q. So this was in addition -- How many people were in the  
4 main hall, how many victims?

5 A. There was eight.

6 Q. So this was a ninth person?

7 A. Yes, sir.

8 Q. What, if anything, did your crews do when they received  
9 that report?

10 A. Immediately all moved over to that area, the room, to  
11 check to see what we had over there.

12 Q. And do you know the name of this person?

13 A. Yes, sir.

14 Q. Did you learn the name the same way you've described to us  
15 before?

16 A. Yes, sir.

17 Q. Not someone you knew beforehand?

18 A. No, sir.

19 Q. What was the name of the person, this ninth victim?

20 A. Mr. Simmons.

21 MR. CURRAN: Exhibit 12, please.

22 Q. Have you ever seen this person before?

23 A. Yes, sir.

24 Q. Who is this person?

25 A. Mr. Simmons is the one who was in the back foyer.

## JAMES JACQUES - DIRECT EXAMINATION

1 Q. The individual you've just been describing to us as the  
2 ninth victim?

3 A. Yes, sir.

4 Q. How is this patient, how was this victim positioned when  
5 you -- Let me stop for a second. Did you go over to Reverend  
6 Simmons?

7 A. Yes, sir.

8 Q. And how was Reverend Simmons positioned when you arrived?

9 A. He was laying on the floor, his head was towards the  
10 double doors with his feet, of course, was toward the actual  
11 social hall. And he looked like he was actually trying to get  
12 out the doors.

13 Q. What did you observe with respect to his condition at that  
14 time?

15 A. He was covered in blood. Noticeable traumatic injuries to  
16 his chest area and side. Noticed that he had agonal breath.

17 Q. I think you slipped into a little medial firefighter  
18 terminology there; you said he had agonal breaths.

19 A. Yes, sir.

20 Q. What does that mean?

21 A. He was trying to breathe, but couldn't breathe normal like  
22 me or --

23 Q. Was he able to speak?

24 A. No, sir.

25 Q. When you're in agonal breathing, are you able to speak?

## JAMES JACQUES - DIRECT EXAMINATION

1 A. No, sir.

2 Q. What did your crews do?

3 A. Of course he was kind of on his side, they rolled him  
4 over, started to --

5 Q. Let me stop you for accuracy. When you say they, did you  
6 personally attend to Reverend Simmons?

7 A. No, sir.

8 Q. You were supervising?

9 A. Yes, sir.

10 Q. Who was attending to him?

11 A. It would have been Jason Dunnigan, Adam Souter, John  
12 Montone, the paramedic that was off of Charleston County Medic  
13 One.

14 Q. So two paramedics, Mr. Montone and the EMS paramedic, as  
15 well as a couple other members of your crews.

16 A. Yes, sir.

17 Q. What treatment did they provide?

18 A. They hooked him up to an oxygen mask, an auto breather,  
19 and started giving him oxygen. They noticed the traumatic  
20 injuries that he had to his side, so they went to cover those  
21 to try to stop the bleeding.

22 Q. Stop for a second. When you say traumatic injury, what  
23 did you actually observe?

24 A. A wound to his side and blood actively pouring out.

25 Q. What kind?

## JAMES JACQUES - DIRECT EXAMINATION

1 A. Looked like a bullet hole.

2 Q. And what were they trying to do to treat that?

3 A. They were trying to stop the bleeding. They also had  
4 another woman that had -- they were trying to put a dressing  
5 on, to also stop the bleeding from.

6 Q. And what were they trying to do, what was the purpose of  
7 all this?

8 A. They were trying to save Mr. Simmons, they were trying to  
9 get him stable so that way they could transport him to the  
10 hospital.

11 Q. You mentioned transport to the hospital. Given the  
12 condition in which you observed him, would he have been able  
13 to survive if they didn't get him to the hospital?

14 A. No, sir.

15 Q. What, if anything, did you observe in the area around him?

16 A. Of course there was blood all over the place, and I  
17 observed -- it was a round divot on the floor by his head when  
18 they rolled him over.

19 Q. So there was a divot in the floor?

20 A. Yes, sir.

21 Q. What do you mean by a divot; please describe what you  
22 observed.

23 A. It looked like it was -- it looked like a bullet hole in  
24 the floor.

25 Q. And a little bit of background on you, you're a

## JAMES JACQUES - DIRECT EXAMINATION

1 firefighter?

2 A. Yes, sir.

3 Q. Do you have any other positions that you hold?

4 A. Yes, sir.

5 Q. What are they?

6 A. I'm a reserve police officer.

7 Q. So you're a police officer as well as a firefighter.

8 A. Yes, sir.

9 Q. Trained and qualified in firearms?

10 A. Yes, sir.

11 Q. You mentioned the treatment that they were trying to  
12 provide. What eventually -- take us to the next step on that,  
13 what happened next with respect to Reverend Simmons?

14 A. Mr. Simmons was placed on a back board. Of course all his  
15 wounds that we could observe at the time were being treated,  
16 they were being bandaged up and trying to stop the bleeding.  
17 He had been moved from just oxygen to a breather mask that we  
18 were trying to breathe for him. They strapped him down to  
19 the -- to the back board, he was picked up, moved out of the  
20 foyer onto a stretcher.

21 Q. And what did they do with the stretcher?

22 A. Took it to the nearest medic unit that was able to get  
23 out.

24 Q. Did any of your crew members, I'm talking about the fire  
25 department generally, any of the crew members go with him?



## JAMES JACQUES - DIRECT EXAMINATION

1 A. Yes, sir.

2 Q. Who went with him?

3 A. About four of the guys went with the stretcher, two of  
4 them come back and two went to the hospital.

5 Q. And why did the two go to the hospital with him?

6 A. They needed more hands in the back with him, and plus they  
7 needed a driver.

8 Q. Is that because of the nature of Reverend Simmons'  
9 condition at that time?

10 A. Yes, sir.

11 Q. So you didn't go with them, correct?

12 A. No, sir.

13 Q. You remained in the hall?

14 A. Yes, sir.

15 Q. The other two firefighters come back to the hall?

16 A. Yes, sir.

17 Q. And let me stop you for a second. When they --

18 MR. CURRAN: Exhibit 21, please.

19 Q. When they brought Reverend Simmons out, did they bring him  
20 out those doors by the back foyer?

21 A. Yes, sir, they took him out of the social hall from the  
22 back doors.

23 Q. All right. And were you and the other crew members  
24 essentially in that area at this point now?

25 A. Yes, sir.

## JAMES JACQUES - DIRECT EXAMINATION

1 Q. All right. What did you do when the other two crew  
2 members returned to the hall?

3 A. Basically, of course, everything is happening so quick,  
4 when they come back in it was kind of like trying to take a  
5 breath, basically we were trying to figure out what we were  
6 going to do next.

7 Q. And when you figured out what you were going to do next,  
8 what did you do?

9 A. Well, we determined that we wanted to -- we were going to  
10 go back to the social hall and to the big area of the social  
11 hall and get what we call a -- basically check each person  
12 with the actual monitor.

13 Q. When you say an actual monitor, are you referring to the  
14 EKG process you were talking about earlier?

15 A. Yes, sir.

16 Q. Were you able immediately to go back into the hall?

17 A. No, sir.

18 Q. Why not?

19 A. When -- by the time the two firemen got to us, and we were  
20 all gathered right there, one of the police officers had come  
21 in and said, hey, we need y'all to hang out right here, we  
22 don't need y'all to go anywhere, we're getting reports of  
23 somebody inside building.

24 Q. So they held you in that back area that you -- that you  
25 showed us earlier.

## JAMES JACQUES - DIRECT EXAMINATION

1 A. Yes, sir, right by the back foyer.

2 Q. Were you in that back foyer or in the room to the left of  
3 that?

4 A. Right at the entrance of the foyer is just like a little  
5 area, and y'all have it drawn as a room, and we were right  
6 there in that --

7 Q. You're talking about that area right there?

8 A. Yes, sir.

9 Q. And what did you observe while they were holding you  
10 there?

11 A. At that point in time some of our officers had come into  
12 the social hall, I noticed two of them go to an office --  
13 well, to a door right there beside the altar.

14 Q. Are you talking about the offices on the diagram behind  
15 the -- behind the altar?

16 A. Yes, sir.

17 Q. Continue.

18 A. They were trying to get into that room, which it was  
19 locked, because -- obviously because they were -- they were  
20 trying to kick it open. By that time as they were doing that,  
21 we heard a noise coming from the door of that room that's  
22 right there beside the -- adjacent to the foyer, that back  
23 foyer.

24 Q. Is that the room that's labeled church office here?

25 A. Yes, sir.

## JAMES JACQUES - DIRECT EXAMINATION

1 Q. And what did you observe? You heard those noises, what  
2 did you observe?

3 A. It was a matter of seconds of hearing the noises, and I  
4 was thinking somebody's in that room, that the doors come open  
5 and there was a female and a child there.

6 Q. And what race were they?

7 A. Black.

8 Q. African-American woman and her child?

9 A. Yes, sir.

10 Q. And what happened? What happened next?

11 A. There was a female deputy had come in the back foyer at  
12 the same time that the door had opened up, she immediately  
13 reached down, grabbed the child, and was escorting them out  
14 through the back double doors.

15 Q. So through the doors over the area where Reverend Simmons  
16 had laid?

17 A. Yes, sir.

18 Q. And then out the doors through which he was evacuating?

19 A. Yes, sir.

20 Q. What, if anything, did any of your -- any members of your  
21 crew do anything in particular as that was happening?

22 A. Yes, sir. My firefighter, Adam Souter, of course he  
23 pretty much tried to like stand in between the victims coming  
24 out and the actual social hall to try and shield them from  
25 seeing anything back towards the social hall as they come

## JAMES JACQUES - DIRECT EXAMINATION

1 through the little foyer out the double doors.

2 Q. The woman that came out that office, had you ever seen her  
3 before?

4 A. No, sir.

5 Q. Do you know her name?

6 A. I was -- Yes, sir.

7 Q. And how did you learn her name?

8 A. From the news and from people talking about her.

9 Q. Okay. What was her name?

10 A. Miss Pinckney.

11 Q. What, after Miss Pinckney was evacuated, what, if  
12 anything, did your crews do next, you and your crews do next?

13 A. After she was evacuated, at the same time I had also  
14 notified command of the situation of there was two victims  
15 coming out that needed to be checked, they were coming out.  
16 It was -- it was about a minute later we were still in that  
17 same general area that law enforcement come to us and asked us  
18 to exit out of the social hall, that there was nothing more  
19 that we could do inside, there was no more people inside that  
20 we needed to get out, so they could start doing their job.

21 Q. When you say law enforcement, you're talking about the  
22 Charleston police department?

23 A. I would assume so, because the one main guy that stayed  
24 with us, he was in civilian clothes.

25 Q. So what did you do in response?

## JAMES JACQUES - DIRECT EXAMINATION

1 A. We gathered our equipment that we had with us, our EMS  
2 bags, and then we went back through the social hall through  
3 the same doors that we entered into the social hall to begin.

4 Q. Back out the way you came in?

5 A. Yes, sir.

6 Q. Did you have any further involvement with any of the  
7 patients, the victims or the survivors that evening?

8 A. No, sir.

9 Q. Did you do anything further on the scene prior to  
10 departure?

11 A. They had us in -- they had us in a stage -- as a matter of  
12 fact, they made two staging areas for us before they allowed  
13 us to leave later on.

14 Q. So you essentially stayed waiting for a response. Did  
15 anybody actually respond further?

16 A. No, sir.

17 Q. What did you do, do you know, when you left the scene that  
18 evening?

19 A. It was later, it was approximately somewhere around 10:30.

20 Q. And what did you do after you left the scene?

21 A. They took us back to the station.

22 Q. And did you go back into duty?

23 A. No, sir, we were met at the station by some of our command  
24 staff, some of our chiefs, we were met with the chaplain and  
25 some social workers, and they kept us out of service.

1 Q. Why did they do that?

2 A. Because of the call that we just responded to, the nature  
3 of the call.

4 MR. CURRAN: Okay. Thank you. No further questions,  
5 Your Honor.

6 THE COURT: Very good. Thank you, Mr. Curran.  
7 Cross-examination?

8 MS. PAAVOLA: No questions, Your Honor.

9 THE COURT: Captain, you may step down.

10 Ladies and gentlemen, we're about to depart on our first  
11 day going back to our own active jury service, and I want to  
12 remind you of several things I've already shared with you, but  
13 it's worth -- and I'll say this every day as we depart.

14 You are not to have any discussions with anyone about  
15 this. If your families, spouse, significant other says what  
16 happened, you blame me. You say the judge told me not to talk  
17 about it. I'm glad to take the blame. You'll be -- at a  
18 later time when this is all over, you can share with your  
19 loved ones what you have seen and heard, but until then, no  
20 discussions.

21 Secondly, avoid all media coverage. Don't turn on the TV,  
22 don't read the newspaper. Your friends can tell you what  
23 happened at the ball games, but y'all don't need to be reading  
24 the newspaper.

25 And third, no social media, no FaceBook, anything like

1 that, just -- you will get exposed, because there will be  
2 discussions.

3 So with that, I will see you tomorrow morning at 9:30.  
4 Please go home safely.

5 (Jury excused.)

6 THE COURT: Mr. Richardson, do you want to give me a  
7 forecast for what tomorrow is going to look like, the kind of  
8 witnesses we're expecting?

9 MR. RICHARDSON: Yes, Your Honor. Tomorrow we would  
10 anticipate -- we moved along quite well today.

11 THE COURT: You notice I move things.

12 MR. RICHARDSON: I do not have any doubts about that,  
13 although you certainly exceeded our expectations.

14 We have a few individuals who are continuing down the law  
15 enforcement theme, an individual who was engaged in sort of  
16 more of the investigatory side, and then we'll get into crime  
17 scene investigation. We think that will be a significant part  
18 of --

19 THE COURT: Will you be showing the FARO exhibit  
20 tomorrow?

21 MR. RICHARDSON: Yes, sir, so we do anticipate the  
22 FARO exhibit would be a significant part of the --

23 THE COURT: Let's just have a little discussion about  
24 this. You and I and defense counsel know this. These are  
25 very graphic images.



1 MR. RICHARDSON: Yes, Your Honor.

2 THE COURT: They're admissible, ruled they're  
3 admissible. I just want to say to the family members that  
4 there's no shame in being in the visitors' room during this,  
5 it's going to be -- Everybody has to make their own decision.  
6 And I'm sure you and your staff and victims' staff have been  
7 counseling the folks, and I want you to continue doing that.  
8 It's necessary to put into evidence and you need to do it, but  
9 it is, you know, I have obviously seen it, it's very graphic  
10 and I'm sure very upsetting to family members. So everyone  
11 sort of be forewarned about that. That's tomorrow. Correct?

12 MR. RICHARDSON: That will be tomorrow, Your Honor.  
13 We have obviously had long discussions with quite a number of  
14 individuals involved with this, and we do believe some very  
15 much want to be here for that and others very much do not.

16 THE COURT: We have tried to set up with the victims'  
17 room for that choice.

18 MR. RICHARDSON: Absolutely.

19 THE COURT: So they have the choice about it and they  
20 can make an intelligent choice for themselves.

21 MR. RICHARDSON: Yes, Your Honor. And then I  
22 anticipate from there we will move into additional law  
23 enforcement responses away from the church. I think after we  
24 finish with the crime scene investigation, which will be  
25 somewhat lengthy, then I think we'll move at that point to the

1 law enforcement activity away from the church, and there are a  
2 number of witnesses that will come in that.

3 THE COURT: That sounds very good.

4 Any other matters to come before the Court?

5 MR. RICHARDSON: Not from the Government.

6 THE COURT: From the defense?

7 MS. STEVENS: Nothing, thank you.

8

9 (Court adjourned at 5:22 p.m.)

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REPORTER'S CERTIFICATION

I, Debra L. Potocki, RMR, RDR, CRR, Official Court Reporter for the United States District Court for the District of South Carolina, hereby certify that the foregoing is a true and correct transcript of the stenographically recorded above proceedings.

S/Debra L. Potocki

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Debra L. Potocki, RMR, RDR, CRR